

SENATE JOURNAL

PROCEEDINGS

OF THE

**KANSAS
SENATE**

2024 Legislative Session
January 8 through April 30

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Governor
Laura Kelly

Lieutenant Governor
David Toland

OFFICERS OF THE SENATE

2024 Legislative Session

Ty Masterson, Butler County, President

Rick Wilborn, McPherson County, Vice President

Larry Alley, Cowley County, Majority Leader

Dinah Sykes, Johnson County, Minority Leader

Corey Carnahan, Shawnee County, Secretary

Don Cackler, Douglas County, Sergeant at Arms

KANSAS SENATE 2024 LEGISLATIVE SESSION

NAME	COUNTY	PARTY	DISTRICT
Alley, Larry	Cowley	Rep.	32
Baumgardner, Molly	Miami	Rep.	37
Billinger, Rick	Sherman	Rep.	40
Blasi, Chase	Sedgwick	Rep.	27
Bowers, Elaine	Cloud	Rep.	36
Claeys, J.R.	Saline	Rep.	24
Corson, Ethan	Johnson	Dem.	7
Dietrich, Brenda	Shawnee	Rep.	20
Doll, John	Finney	Rep.	39
Erickson, Renee	Sedgwick	Rep.	30
Fagg, Michael	Butler	Rep.	14
Faust Goudeau, Oletha	Sedgwick	Dem.	29
Francisco, Marci	Douglas	Dem.	2
Gossage, Beverly	Johnson	Rep.	9
Haley, David	Wyandotte	Dem.	4
Holland, Tom	Douglas	Dem.	3
Holscher, Cindy	Johnson	Dem.	8
Kerschen, Dan	Sedgwick	Rep.	26
Kloos, Rick	Shawnee	Rep.	19
Longbine, Jeff	Lyon	Rep.	17
Masterson, Ty	Butler	Rep.	16
McGinn, Carolyn	Sedgwick	Rep.	31
Olson, Rob	Johnson	Rep.	23
O'Shea, Kristen	Shawnee	Rep.	18
Peck, Virgil	Montgomery	Rep.	15
Petersen, Mike	Sedgwick	Rep.	28
Petty, Pat	Wyandotte	Dem.	6
Pittman, Jeff	Leavenworth	Dem.	5
Pyle, Dennis	Brown	Rep.	1
Reddi, Usha	Riley	Dem.	22
Ryckman, Ron	Meade	Rep.	38
Shallenburger, Tim	Cherokee	Rep.	13
Steffen, Mark	Reno	Rep.	34
Straub, Alicia	Barton	Rep.	33
Sykes, Dinah	Johnson	Dem.	21
Thompson, Mike	Johnson	Rep.	10
Tyson, Caryn	Linn	Rep.	12
Ware, Mary	Sedgwick	Dem.	25
Warren, Kellie	Johnson	Rep.	11
Wilborn, Rick	McPherson	Rep.	35

2024 Committee Assignments Standing Committees

Agriculture and Natural Resources 8:30 am Room 144-S
Peck (*Chairperson*), Ryckman (*Vice Chairperson*), Ware (*Ranking Minority Member*),
Doll, Fagg, Francisco, Kerschen, McGinn, Straub

Assessment and Taxation 9:30 am Room 548-S
Tyson (*Chairperson*), Peck (*Vice Chairperson*), Holland (*Ranking Minority Member*),
Baumgardner, Blasi, Claeys, Corson, Erickson, Kerschen, Petersen, Reddi

Commerce 10:30 am Room 546-S
Erickson (*Chairperson*), Dietrich (*Vice Chairperson*), Reddi (*Ranking Minority Member*),
Doll, O'Shea, Peck, Shallenburger, Tyson, Ware

Confirmation Oversight On Call
Alley (*Chairperson*), Sykes (*Vice Chairperson*), Billinger, Masterson, Pettey, Wilborn

Education 1:30 pm Room 144-S
Baumgardner (*Chairperson*), Erickson (*Vice Chairperson*), Sykes (*Ranking Minority Member*),
Blasi, Dietrich, Gossage, O'Shea, Pettey, Straub

Federal and State Affairs 10:30 am Room 144-S
Thompson (*Chairperson*), Kloos (*Vice Chairperson*), Faust Goudeau (*Ranking Minority Member*),
Blasi, Holscher, Longbine, Petersen, Ryckman, Straub

Financial Institutions and Insurance 9:30 am Room 546-S
Longbine (*Chairperson*), Fagg (*Vice Chairperson*), Holscher & Pittman (*Ranking Minority Members*),
Dietrich, Gossage, Kloos, Olson, Warren

Interstate Cooperation On Call
Masterson (*Chairperson*), Holland (*Ranking Minority Member*), Alley, Billinger,
Holscher, Kloos, Wilborn

Judiciary 10:30 am Room 346-S
Warren (*Chairperson*), Wilborn (*Vice Chairperson*), Corson (*Ranking Minority Member*),
Baumgardner, Bowers, Gossage, Haley, Olson, Steffen

Local Government 9:30 am Room 142-S
McGinn (*Chairperson*), Bowers (*Vice Chairperson*), Francisco (*Ranking Minority Member*),
Doll, Faust Goudeau, Haley, Ryckman, Shallenburger, Steffen, Straub, Thompson

Organization, Calendar and Rules

On Call

Masterson (*Chairperson*), Alley, Wilborn**Public Health and Welfare**

8:30 am Room 142-S

Gossage (*Chairperson*), Erickson (*Vice Chairperson*), Pettey (*Ranking Minority Member*), Alley, Blasi, Holscher, O'Shea, Steffen, Thompson**Transparency and Ethics**

9:30 am Room 142-S

Bowers (*Chairperson*), McGinn (*Vice Chairperson*), Faust Goudeau (*Ranking Minority Member*), Doll, Francisco, Haley, Ryckman, Shallenburger, Steffen, Straub, Thompson**Transportation**

8:30 am Room 546-S

Petersen (*Chairperson*), Kloos (*Vice Chairperson*), Corson (*Ranking Minority Member*), Bowers, Dietrich, Reddi, Shallenburger, Tyson, Warren**Utilities**

1:30 pm Room 548-S

Fagg (*Chairperson*), Petersen (*Vice Chairperson*), Francisco (*Ranking Minority Member*), Bowers, Claeys, Corson, Kloos, Pittman, Shallenburger, Thompson, Warren**Ways and Means**

10:30 am Room 548-S

Billinger (*Chairperson*), Claeys (*Vice Chairperson*), Pettey (*Ranking Minority Member*), Alley, Fagg, Kerschen, Masterson, McGinn, Pittman**2024 Committee Assignments****Joint Committees****J. Russell (Russ) Jennings Joint Committee on Corrections and Juvenile Justice Oversight**

On Call

Warren (*Chairperson*), Faust Goudeau (*Ranking Minority Member*), Bowers, Corson, Erickson, Gossage, O'Shea**Joint Committee on Administrative Rules and Regulations**

On Call

Warren (*Chairperson*), Faust Goudeau (*Ranking Minority Member*), Francisco, McGinn, Tyson**Joint Committee on Child Welfare System Oversight**

On Call

Gossage (*Vice Chairperson*), Baumgardner, Erickson, Faust Goudeau, Holscher, O'Shea**Joint Committee on Fiduciary Financial Institutions Oversight**

On Call

Longbine (*Chairperson*), Fagg, Masterson, Pittman

Joint Committee on Information Technology	On Call
Petersen (<i>Chairperson</i>), Pittman (<i>Ranking Minority Member</i>), Holland, Kloos, Tyson	
Joint Committee on Kansas Security	On Call
Petersen (<i>Chairperson</i>), Kloos, Peck, Pittman, Ware	
Joint Committee on Pensions, Investments and Benefits	On Call
Longbine (<i>Chairperson</i>), Dietrich, Fagg, Holscher, Pettey	
Joint Committee on Special Claims Against the State	On Call
Dietrich (<i>Vice Chairperson</i>), Haley, McGinn	
Joint Committee on State-Tribal Relations	On Call
Alley (<i>Vice Chairperson</i>), Bowers, Haley, Holland, Kerschen	
Joint Committee on State Building Construction	On Call
McGinn (<i>Chairperson</i>), Francisco (<i>Ranking Minority Member</i>), Billinger, Claeys, Reddi	
Legislative Budget Committee	On Call
Billinger, Claeys, Pettey	
Legislative Coordinating Council	On Call
Masterson (<i>Vice Chairperson</i>), Alley, Sykes, Wilborn	
Legislative Post Audit Committee	On Call
Tyson (<i>Vice Chairperson</i>), Corson, Petersen, Thompson, Ware	
Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight	On Call
Gossage (<i>Vice Chairperson</i>), Baumgardner, Fagg, Pettey, Steffen	

KANSAS CONSTITUTION

Article 2: Legislative

§ 1: Legislative power. The legislative power of this state shall be vested in a house of representatives and senate.

§ 2: Senators and representatives. The number of representatives and senators shall be regulated by law, but shall not exceed one hundred twenty-five representatives and forty senators. Representatives and senators shall be elected from single-member districts prescribed by law. Representatives shall be elected for two year terms. Senators shall be elected for four year terms. The terms of representatives and senators shall commence on the second Monday of January of the year following election.

§ 3: Compensation of members of legislature. The members of the legislature shall receive such compensation as may be provided by law or such compensation as is determined according to law.

§ 4: Qualifications of members. During the time that any person is a candidate for nomination or election to the legislature and during the term of each legislator, such candidate or legislator shall be and remain a qualified elector who resides in his or her district.

§ 5: Eligibility and disqualification of members. No member of congress and no civil officer or employee of the United States or of any department, agency, or instrumentality thereof shall be eligible to be a member of the legislature. Any member of the legislature who accepts any appointment or election contrary to the foregoing shall be disqualified as a member of the legislature.

§ 6: Eliminated by revision.

§ 7: Eliminated by revision.

§ 8: Organization and sessions. The legislature shall meet in regular session annually commencing on the second Monday in January, and all sessions shall be held at the state capital. The duration of regular sessions held in even-numbered years shall not exceed ninety calendar days. Such sessions may be extended beyond ninety calendar days by an affirmative vote of two-thirds of the members elected to each house. Bills and concurrent resolutions under consideration by the legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next succeeding regular session held in an even-numbered year, as if there had been no such adjournment.

The legislature shall be organized concurrently with the terms of representatives except that the senate shall remain organized during the terms of senators. The president of the senate shall preside over the senate, and the speaker of the house of representatives shall preside over the house of representatives. A majority of the members then elected (or appointed) and qualified of the house of representatives or the senate shall constitute a quorum of that house. Neither house, without the consent of the other, shall adjourn for more than two days, Sundays excepted. Each house shall elect its presiding officer and determine the rules of its proceedings, except that the two houses may adopt joint rules on certain matters and provide for the manner of change thereof. Each house shall provide for the expulsion or censure of members in appropriate cases. Each house shall be the judge of elections, returns and qualifications of its own members.

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§ 9: Vacancies in legislature. All vacancies occurring in either house shall be filled as provided by law.

§ 10: Journals. Each house shall publish a journal of its proceedings. The affirmative and negative votes upon the final passage of every bill and every concurrent resolution for amendment of this constitution or ratification of an amendment to the Constitution of the United States shall be entered in the journal. Any member of either house may make written protest against any act or resolution, and the same shall be entered in the journal without delay or alteration.

§ 11: Eliminated by revision.

§ 12: Origination by either house. Bills and concurrent resolutions may originate in either house, but may be amended or rejected by the other.

§ 13: Majority for passage of bills. A majority of the members then elected (or appointed) and qualified of each house, voting in the affirmative, shall be necessary to pass any bill. Two-thirds (2/3) of the members then elected (or appointed) and qualified in each house, voting in the affirmative, shall be necessary to ratify any amendment to the Constitution of the United States or to make any application for congress to call a convention for proposing amendments to the Constitution of the United States.

§ 14: Approval of bills; vetoes.

(a) Within ten days after passage, every bill shall be signed by the presiding officers and presented to the governor. If the governor approves a bill, he shall sign it. If the governor does not approve a bill, the governor shall veto it by returning the bill, with a veto message of the objections, to the house of origin of the bill. Whenever a veto message is so received, the message shall be entered in the journal and in not more than thirty calendar days (excluding the day received), the house of origin shall reconsider the bill. If two-thirds of the members then elected (or appointed) and qualified shall vote to pass the bill, it shall be sent, with the veto message, to the other house, which shall in not more than thirty calendar days (excluding the day received) also reconsider the bill, and if approved by two-thirds of the members then elected (or appointed) and qualified, it shall become a law, notwithstanding the governor's veto. If any bill shall not be returned within ten calendar days (excluding the day presented) after it shall have been presented to the governor, it shall become a law in like manner as if it had been signed by the governor.

(b) If any bill presented to the governor contains several items of appropriation of money, one or more of such items may be disapproved by the governor while the other portion of the bill is approved by the governor. In case the governor does so disapprove, a veto message of the governor stating the item or items disapproved, and the reasons therefor, shall be appended to the bill at the time it is signed, and the bill shall be returned with the veto message to the house of origin of the bill. Whenever a veto message is so received, the message shall be entered in the journal and, in not more than thirty calendar days, the house of origin shall reconsider the items of the bill which have been disapproved. If two-thirds of the members then elected (or appointed) and qualified shall vote to approve any item disapproved by the governor, the bill, with the veto message, shall be sent to the other house, which shall in not more than thirty calendar days also reconsider each such item so approved by the house of origin, and if approved by two-thirds of all the members then elected (or appointed) and qualified, any such item shall take effect and become a part of the bill.

§ 15: Requirements before bill passed. No bill shall be passed on the day that it is

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introduced, unless in case of emergency declared by two-thirds of the members present in the house where a bill is pending.

§ 16: Subject and title of bills; amendment or revival of statutes. No bill shall contain more than one subject, except appropriation bills and bills for revision or codification of statutes. The subject of each bill shall be expressed in its title. No law shall be revived or amended, unless the new act contain the entire act revived or the section or sections amended, and the section or sections so amended shall be repealed. The provisions of this section shall be liberally construed to effectuate the acts of the legislature.

§ 17: Uniform operation of laws of a general nature. All laws of a general nature shall have a uniform operation throughout the state: Provided, The legislature may designate areas in counties that have become urban in character as "urban areas" and enact special laws giving to any one or more of such counties or urban areas such powers of local government and consolidation of local government as the legislature may deem proper.

§ 18: Election or appointment of officers; filling vacancies. The legislature may provide for the election or appointment of all officers and the filling of all vacancies not otherwise provided for in this constitution.

§ 19: Publication of acts. No act shall take effect until the enacting bill is published as provided by law.

§ 20: Enacting clause of bills; laws enacted only by bill. The enacting clause of all bills shall be "Be it enacted by the Legislature of the State of Kansas:". No law shall be enacted except by bill.

§ 21: Delegation of powers of local legislation and administration. The legislature may confer powers of local legislation and administration upon political subdivisions.

§ 22: Legislative immunity. For any speech, written document or debate in either house, the members shall not be questioned elsewhere. No member of the legislature shall be subject to arrest -- except for treason, felony or breach of the peace -- in going to, or returning from, the place of meeting, or during the continuance of the session; neither shall he be subject to the service of any civil process during the session, nor for fifteen days previous to its commencement.

§ 23: Eliminated by revision.

§ 24: Appropriations. No money shall be drawn from the treasury except in pursuance of a specific appropriation made by law.

§ 25: Eliminated by revision.

§ 26: Repealed.

§ 27: Impeachment. The house of representatives shall have the sole power to impeach. All impeachments shall be tried by the senate; and when sitting for that purpose, the senators shall take an oath to do justice according to the law and the evidence. No person shall be convicted without the concurrence of two-thirds of the senators then elected (or appointed) and qualified.

§ 28: Officers impeachable; grounds; punishment. The governor and all other officers under this constitution, shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors.

§ 29: Eliminated by revision.

§ 30: Delegation of powers to interstate bodies. The legislature may confer legislative powers upon interstate bodies, comprised of officers of this state or its political subdivisions acting in conjunction with officers of other jurisdictions, relating to the

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functions thereof. Any such delegation, and any agreement made thereunder shall be subject to limitation, change or termination by the legislature, unless contained in a compact approved by the congress.

RULES OF THE SENATE 2021-2024

Rule 1. Time of Meetings. The Senate on the first day of a session shall convene at 2:00 p.m., and at all other times shall convene at 2:30 p.m., unless otherwise ordered by the Senate.

Rule 2. Convening – Quorum – Assuming Duties of Chair. (a) The President shall take the chair at the hour fixed for the convening of the Senate, and the roll shall be called in order to ascertain if a quorum is present. A majority of the Senators then elected (or appointed) and qualified shall constitute a quorum, and, in the absence of a quorum, the Senators present, by majority vote, may take such measures as they shall deem necessary to secure the presence of a quorum.

(b) In the absence of the President, the Vice President shall assume the duties of the President. The President or Vice President may also name any Senator to temporarily perform the duties of the chair, but the Senator so named shall not act as President beyond adjournment, unless by leave of the Senate. A Senator shall not lose the right of voting on any subject while serving or acting as President.

Rule 3. Absence of Member. No Senator shall fail to attend when the Senate is in session without first obtaining leave of the Senate, unless prevented from attending by sickness or other sufficient cause.

Rule 4. Order of Business and Session Proforma. The order of business, following the roll call and prayer by the Chaplain, shall be as follows:

1. Introduction and reference of bills and concurrent resolutions.
2. Consideration of messages from the Governor.
3. Communications from state officers.
4. Consideration of messages from the House of Representatives.
5. Consideration of motions to concur or nonconcur.
6. Reports of select committees.
7. Consent Calendar.
8. Final Action on bills and concurrent resolutions.
9. Introduction of original motions and senate resolutions.
10. Correction and approval of the Journal.
11. Consideration of motions and senate resolutions.
12. Reports of standing committees.
13. General orders.

The Senate may meet from time to time for the sole purpose of processing routine business of the Senate. These sessions shall be known as Session Proforma.

(1) Time of Meeting. Session Proforma shall be announced at least one legislative day in advance with the hour for meeting Proforma set on the previous legislative day.

(2) Order of Business. The only orders of business that may be considered during Session Proforma are:

- (a) Introduction and reference of bills and concurrent resolutions.
- (b) Receipts of messages from the Governor.
- (c) Communications from state officers.
- (d) Receipt of messages from the House of Representatives.
- (e) Reports of select and standing committees.

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- (f) Presentation of petitions.
- (3) Motions. No motion shall be in order other than the motion to adjourn.
- (4) Objections. Any objection by any member shall require the Session Proforma to adjourn to the next day, Saturday and Sunday excluded, at 2:30 p.m.
- (5) Quorum and Roll. There shall be no requirement for a quorum or taking of the roll. No demand for a roll call for a quorum shall be in order.
- (6) Effect of Certain Rules. If a legislative day referred to in Rule 11, 12, 28, 32, 33, 53, 56, 68 or 69 occurs on a legislative day which is also the day on which a Session Proforma is held, the term "legislative day" as used in such rule means the next legislative day subsequent to the legislative day on which the Session Proforma is held.

The presentation of petitions shall be a special order of business on Friday of each week immediately preceding the regular order of business.

Rule 5. Business in Order at Any Time. Messages from the Governor, messages from the House of Representatives, introduction and reference of bills and concurrent resolutions, reports of standing committees and reports of select committees may be received and considered under any order of business.

Rule 6. Special Order. Whenever any bill or other matter is made the special order for a particular day, and shall not be reached or completed on that day, it shall be returned to its place in the General Orders, unless it shall be made the special order for another day. When any special order is under consideration, it shall take precedence over any special order for a subsequent hour of the same day, but such subsequent special order shall be taken up immediately after the previous order has been disposed of. Notation of a special order shall be placed before the first order of business on the calendar for that day, giving the subject to be considered and the time fixed for its consideration. When that time arrives, other business shall be suspended until the special order has been considered.

Rule 7. Standing Committees. (a) There shall be a standing committee named the Committee on Organization, Calendar and Rules which shall consist of three members, the chairperson of which shall be the president of the Senate, and the vice chairperson of which shall be the majority leader of the Senate. The Vice President of the Senate shall be a member of the committee. No bill or resolution other than resolutions adopting, amending or revoking rules of the Senate or Joint Rules of the Senate and House of Representatives, shall be introduced by or be referred to the Committee on Organization, Calendar and Rules.

(b) The following shall be the other standing committees:

	Number of members
1. Agriculture and Natural Resources.....	9
2. Assessment and Taxation.....	11
3. Commerce.....	9
4. Confirmation Oversight	6
5. Education.....	9
6. Federal and State Affairs.....	9
7. Financial Institutions and Insurance.....	9
8. Interstate Cooperation.....	7
9. Judiciary.....	9
10. Local Government.....	11

11. Public Health and Welfare..... 9
 12. Redistricting..... 9
 13. Transparency and Ethics..... 11
 14. Transportation..... 9
 15. Utilities..... 11
 16. Ways and Means..... 9

(c) The president of the Senate, with the advice of the majority leader and the vice president of the Senate, shall appoint the members of each committee, shall appoint the chairperson and vice chairperson or vice chairpersons thereof and shall designate the ranking minority member of each committee. The minority leader shall submit recommendations for the appointment of minority members to the standing committees of the Senate to the Committee on Organization, Calendar and Rules. The Committee on Organization, Calendar and Rules shall have a standing subcommittee on calendar which shall be the president of the Senate, the vice president of the Senate and the majority leader of the Senate. The Majority Leader shall be the chairperson of the subcommittee. The Committee on Organization, Calendar and Rules may establish such other subcommittees of the Committee on Organization, Calendar and Rules as the Committee deems appropriate.

(d) The Committee on Organization, Calendar and Rules shall have a standing subcommittee on rules which shall be the president of the Senate, the vice president of the Senate, the majority leader of the Senate, one member of the Senate from the majority party appointed jointly by the president of the Senate, the vice president of the Senate and the majority leader of the Senate and one member who shall be the minority leader of the Senate or the designee of the minority leader. The chairperson of the subcommittee on rules shall be the vice president of the Senate. The subcommittee on rules shall consider rules questions arising during a convening of the Senate.

(e) The Committee on Organization, Calendar and Rules and all of its subcommittees may close their meetings.

(f) The two major political parties shall have proportional representation on each standing committee other than the Committee on Organization, Calendar and Rules. In the event application of the preceding sentence results in a fraction, the party having a fraction exceeding 0.5 shall receive representation as though such fraction were a whole number.

(g) The Senate standing Committee on Agriculture and Natural Resources shall constitute the successor committee to the Senate standing Committee on Agriculture and the Senate standing Committee on Natural Resources for purposes of references in statutory and other documents. The Senate standing Committee on Ethics, Elections and Local Government shall constitute the successor committee to the Senate standing Committee on Ethics and Elections and the Senate standing Committee on Local Government.

(h) For purposes of references in statutes and other documents, the Senate standing Committee on Local Government shall constitute the successor committee to the Senate standing Committee on Ethics, Elections and Local Government regarding local government matters and the Senate standing Committee on Transparency and Ethics shall constitute the successor committee to the Senate standing Committee on Ethics, Elections and Local Government regarding ethics and election matters.

Rule 8. Special and Select Committees. Special and Select committees of the

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Senate and the Chairperson thereof shall be appointed by the President.

Rule 9. Standing Committees – Duties of Chairperson, etc. (a) The chairperson of each committee shall preside at all meetings of the committee. The chairperson may designate another member to preside in the absence of the chairperson and vice chairperson.

(b) The chairperson of each committee may call a special meeting of the committee when necessary.

(c) The chairperson shall have full charge of the committee.

(d) The chairperson of each committee shall cause minutes of each meeting of the committee to be prepared, subject to approval of the committee within 14 session days or by sine die adjournment, whichever is earlier. The Senate portion of the Legislature's website and the minutes shall show the name of the member, person, state or local agency, organization or entity that requested a bill or resolution for introduction, the action taken by the committee upon each bill or resolution considered and the amendments, if any, voted upon and the disposition of each, whether adopted or not. At the request of the author of a bill or resolution or any amendment to a bill or resolution, or on request of any member of the committee, the intent of the author shall be stated in the committee minutes. At the conclusion of each legislative session, copies of all committee minutes shall be filed with the Director of Legislative Administrative Services.

Rule 10. Vote in Senate Committee. At the time of taking any action upon any bill or resolution, any member of a committee may demand a division of the vote and the chairperson shall be required to record the number of votes for and against the action as a part of the minutes.

Rule 11. Committee Action on Bills and Resolutions. (a) A committee may recommend that the Senate act favorably, unfavorably or without recommendation upon any measure or may recommend amendments to measures referred to it which are germane to the subject of the measure. If a committee recommends amendments to a bill or resolution referred to it which strike out all of the material in the bill or resolution subsequent to the enacting clause or resolving clause and inserts new material, and the bill or resolution was sponsored by an individual member or members, the committee becomes the sponsor of the bill or resolution and the committee name will be printed on the bill or resolution as the sponsor. Committee recommendations shall be made by committee report to the Senate. Committee reports shall be signed by the chairperson, and shall be transmitted to the Senate not later than the second legislative day following the action of the committee.

(b) When a committee fails to report on any bill or resolution following reference to such committee, it may be withdrawn from the committee by an affirmative vote of 24 members of the Senate on a motion made as provided in this subsection. Such a motion shall be made in writing, giving the reasons for withdrawal from the committee. Such motion shall be made under the order of business introduction and notice of original motions and Senate resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the reading clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and Senate resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If the motion prevails, the bill or resolution shall be placed on the calendar under the order of

business General Orders.

(c) Motions to withdraw a bill or resolution from a committee are not subject to amendment or debate.

Rule 12. Adversely Reported Bills and Resolutions. All bills or resolutions adversely reported shall go upon the Calendar for one day, under the head of Bills Adversely Reported. A motion to place an adversely reported bill (or resolution) under the order of business General Orders on the Calendar shall be made when the bill (or resolution) is upon the Calendar and shall be made when Introduction of Original Motions and Senate Resolutions is in order, and that motion shall then lie over until the next legislative day when the order of business Consideration of Motions and Senate Resolutions is reached, but if such motion is defeated once it shall not be renewed. If an adversely reported bill or resolution has been previously referred separately under Rule 32 (authorizing the reference of the same bill or resolution to two or more standing committees), then the motion shall be to return the adversely reported bill (or resolution) with the committee report attached to the next committee to which it was referred. If the motion to place the bill (or resolution) on the Calendar under the order of business General Orders or to return the bill (or resolution) to the next committee of reference shall prevail, then the words "Adversely Reported" shall be printed in a line underneath the title of the bill or resolution, and to prevail such motion shall require an affirmative vote of 24 members of the Senate.

Rule 13. When Bill or Concurrent Resolution Placed on General Orders. When a bill or a concurrent resolution to amend the constitution has been reported to the Senate by a committee with the recommendation that it pass or be adopted, it shall immediately be placed on the Calendar under the order of business General Orders.

Rule 14. Address the President – To Be Recognized – Speak But Twice on the Same Subject. Every Senator rising to debate or to present any matter shall address the President and shall not proceed until recognized. When two or more Senators shall address the President at the same time, the President shall name the Senator who is to speak first. No Senator, except for the Senator who is carrying a bill, resolution or report, shall speak more than twice on the same day on the same subject without leave of the Senate.

Rule 15. No Senator Shall Be Interrupted. No Senator, when speaking shall be interrupted except by a call to order by the presiding officer, or by a Senator through the presiding officer, desiring to ask a question. If a Senator speaking yields to a question, the interruption shall be confined solely to such question. Senators shall be referred to as "the Senator from _____" (naming the Senator's home county) followed by the Senator's title and name.

Rule 16. Personal Privilege. Senators raising a point of personal privilege shall confine themselves to remarks which concern themselves personally and shall not address or debate matters under consideration by the Senate.

Rule 17. Questions of Order – How Determined. A question of order may be raised at any time and when a Senator shall be called to order the Senator shall stop speaking until the presiding officer has determined whether the Senator was in order. Every question of order shall be decided by the presiding officer, subject to an appeal to the Senate by any member. The vote on an appeal to the Senate under this rule shall not be a roll call vote. Every appeal on a question of order shall be taken without debate.

Rule 18. Explaining Votes. Senators may explain their votes only after every

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Senator first has had the opportunity to vote. Thereafter, an explanation of vote may be heard followed by the opportunity for any Senator to change their vote before the roll is closed and the tally of the vote is recorded. Not more than two minutes shall be allowed for any explanation. The explanation shall be inserted in the Journal if the Senator makes a request at the time of voting or makes a request of the Secretary of the Senate prior to adjournment, and the written explanation is presented to the Secretary of the Senate during or within two hours following that day's adjournment on the same legislative day. No Senator in explaining a vote may use the name of or otherwise identify any other Senator as part of the explanation without the consent of the other Senator. No written explanation shall contain more than 200 words. If the written explanation contains more than 200 words, only the first 200 words of the explanation shall be printed in the journal.

Rule 19. Vote Unless Excused – Contempt. Any Senator, who is directly interested in a question, may be excused from voting, even though there is a call of the Senate. The Senator, who is requesting to be excused from voting, shall state the reasons for the request, occupying not more than five minutes. Such statements shall be made either immediately before or immediately after the vote is called but before the result is announced. The question on excusing any Senator from voting shall be taken without debate and a majority of those voting shall be necessary to excuse the Senator. If a Senator refuses to vote, when not excused, such refusal shall constitute contempt and the President shall, in such case, order the offending Senator before the bar of the Senate and all privileges of membership shall be refused such Senator until the contempt is corrected as determined by vote of the Senate.

Rule 20. When Not Permitted to Vote. No Senator shall be allowed to vote unless the Senator is seated in the Senator's assigned seat within the Senate chamber when the vote is taken.

Rule 21. Filling Certain Vacancies. (a) When a vacancy occurs in the office of President and the Legislature is adjourned to a date more than 60 days after the occurrence of the vacancy, the Senate shall meet within 30 days and elect a member to fill the vacancy. The Vice President shall within 10 days of such occurrence issue a call for the meeting at a time not less than 10 days and not more than 20 days after the date of the call.

(b) When a vacancy occurs in the office of Vice President or majority leader of the Senate, and the Legislature is adjourned to a date more than 30 days after the occurrence of the vacancy, the President shall appoint an acting Vice President or acting majority leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled as though the acting interim appointment had not been made.

(c) When a vacancy occurs in the office of minority leader of the Senate and the Legislature is adjourned to a date more than 30 days after the occurrence of the vacancy, the assistant minority leader shall become the acting minority leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled as though the acting minority leader had not so served.

(d) It is the intention of this rule that any person elected, appointed or designated to serve in accordance herewith to fill a vacancy shall exercise all of the duties and powers of the office so filled.

Rule 22. Party Affiliation – Change. If any Senator changes political party

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affiliation: (1) From the political party of such Senator at the time of the Senator's election; or (2) if the Senator was appointed, from the political party of the district convention which elected such person to be so appointed, the following shall apply:

(a) Such Senator shall be removed from all memberships on standing and other committees, from all positions of chairperson or vice chairperson of a standing or other committee, and from any office of the Senate held at the time of such change. The Committee on Organization, Calendar and Rules shall appoint a Senator to fill any vacancy which arises under this subpart (a).

(b) The proportion of Senators from major political parties on each standing committee originally determined under Rule 7 (providing for proportional representation of members of political parties upon standing committees) shall not be altered. The Committee on Organization, Calendar and Rules shall fill each standing committee member position vacated by such Senator by appointing a Senator of the political party from which such Senator changed.

Rule 23. Open Meetings Provisions. The open meeting law (K.S.A. 75-4317 et seq., and amendments thereto) shall apply to meetings of the Senate and all of its standing committees, select committees, special committees and subcommittees of any of such committees. Caucuses of Senate majority and minority parties and meetings of the Committee on Organization, Calendar and Rules and its subcommittees may be closed.

Rule 24. Motions in Writing. All motions to amend bills and resolutions shall be made in writing, and upon request of any Senator shall be read by the reading clerk before being voted upon. All other motions shall be reduced to writing when desired by any Senator.

Rule 25. Motions Withdrawn. Any motion may be withdrawn by the maker before amendment or decision is made thereon except as the foregoing is modified by Rule 40 (relating to procedure in the committee of the whole).

Rule 26. Motions in Order When Question Under Debate. When a question is under debate, no motion shall be in order, except:

Not Debatable

1. To fix time to which to adjourn.
2. To adjourn.
3. To lay on the table.
4. For the previous question.
5. To recess to a time certain.

Debatable

6. To postpone to a day certain.
7. To commit to a standing committee.
8. To commit to a special committee.
9. To commit to the Committee of the Whole.
10. To amend.
11. To postpone indefinitely.

The several motions specified in this rule shall have precedence in the order named and the first five shall be decided without debate.

Rule 27. Division of Question. (a) If the question in debate contains several points, any Senator may have the same divided, but a motion to strike out and insert shall be indivisible. When a bill or resolution is under consideration in the Senate and after

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debate is concluded and final action has been announced on the bill or resolution, a request for division of question shall not be in order.

(b) A request for division of question shall be in writing specifying the manner in which the question is to be divided.

(c) The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert another proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

Rule 28. Reconsideration of Pending Matters. When a question has been once put and decided it shall be in order for any Senator who voted with the prevailing side to move for a reconsideration thereof, but no motion for reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate, nor shall any motion for reconsideration be in order unless made on the same day on which the vote was taken or the next legislative day. No question shall be reconsidered more than once.

Rule 29. Previous Questions. Ten Senators shall have the right to move the previous question on any bill, resolution, message, report, amendment, or motion. If no amendment is pending the previous question shall be as follows: "Shall the main question be now put?" If the previous question is decided in the affirmative by a majority vote of those present, the main question shall be put without further amendment or debate. If amendments are pending a motion for the previous question shall concern only the last amendment that is pending on which, if the previous question is adopted, the debate will be closed only upon such amendment. The previous question on other questions than the main question shall be as follows: "Shall the question on the (amendment, amendment of an amendment, substitute or other motion affecting same as the case may be) now be put?"

Rule 30. Endorsement on Bills, etc. Before any bill, resolution or petition, addressed to the Senate, shall be received or read, the title of the bill or resolution or a brief statement of the contents of the petition shall be typed on the jacket, with the name of the Senator or committee introducing it.

Rule 31. Introduction of Bills and Concurrent Resolutions. Every bill and concurrent resolution shall be introduced by a Senator, by a committee, on the report of a committee, by message from the House of Representatives, or by proper pre-filing as provided by law. For the purpose of introduction, every bill and concurrent resolution shall be placed in the possession of the secretary and the reading clerk shall read the title, except citations of statutes amended or repealed. The reading clerk shall also read the name of the sponsor of the bill or resolution if it has a single sponsor. If the bill or resolution has two sponsors the reading clerk shall read the names of both sponsors, but if the bill or resolution has more than two sponsors the reading clerk shall read the name of the first sponsor together with the words "and others."

Rule 32. Reference of Bills and Resolutions. All bills and resolutions shall be referred or rereferred to appropriate standing committees, special or select committees appointed under Rule 8 or the Committee of the Whole by the President. Upon the day of its introduction or upon the next legislative day, the President shall refer every bill and each concurrent resolution to be referred to the appropriate standing committee, special or select committees appointed under Rule 8 or the Committee of the Whole. Bills or resolutions prefiled under K.S.A. 46-801 et seq., and amendments thereto, may

be referred by the President to the appropriate standing committee, special or select committees appointed under Rule 8 or the Committee of the Whole at any time subsequent to the prefiling of such bill or resolution with the secretary of the senate. Bills introduced by committees, if germane to the purpose and scope of the committee, may be referred to the Committee of the Whole; otherwise to the appropriate standing committee or special or select committees appointed under Rule 8. All bills making an appropriation shall be referred to the Committee on Ways and Means. The President may refer a bill or resolution to two or more standing committees or special or select committees appointed under Rule 8, or any combination thereof, jointly, or separately, in such order as the President may direct, and such bill or resolution, when so referred, shall be considered by the committees in joint meeting, or by each of the committees separately in the order named in the reference, and when the reference is made jointly, the chairperson of the committee named first shall be chairperson of the joint committee.

Rule 33. Consent Calendar and Recording Reports. Whenever a standing committee is of the opinion that a bill or resolution upon which it is reporting is of non-controversial nature, it shall so state in its committee report. Whenever a bill or resolution is so reported, it shall be placed upon a separate calendar, to be known as the Consent Calendar. Each bill or resolution appearing on the Consent Calendar shall remain thereon for at least two full legislative days before being considered under the order of business Final Action. At any time prior to the call for the vote under the order of business Final Action on a bill or resolution on the Consent Calendar, any member may object to the same as being controversial and the same shall be stricken from the Consent Calendar and take its place on General Orders in the usual order. If no such objection is made prior to the call for such vote on the bill or resolution, it shall be voted upon with other bills and resolutions under the order of business Final Action but before consideration of other bills or resolutions appearing on the calendar under such order of business.

Rule 34. Final Action on Bills and Concurrent Resolutions. On final action on any bill or concurrent resolution, the reading clerk shall read the title, except citations to statutes amended or repealed. If the bill is reported for final action without debate, the question shall be at once put: "Shall the bill pass?" No debate shall be allowed, and no motion shall be in order except the motion for a call of the Senate, unless in case where a bill has been ordered to be placed on final action subject to amendment, or to amendment and debate or unless by the unanimous consent of the Senate, amendments may be made and considered. Like procedure shall apply to concurrent resolutions except that the question put shall be: "Shall the resolution be adopted?" On final action, bills and resolutions may be bulked together for roll call unless objection be made by any Senator.

Rule 35. Final Passage by Yeas and Nays. The question upon the final passage of a bill and every concurrent resolution for amendment of the constitution of Kansas or ratification of an amendment to the Constitution of the United States shall be taken by a roll call vote of the yeas and nays, which shall be entered on the Journal, and unless the bill or concurrent resolution receives the number of votes required by the constitution to pass it, it shall be declared lost, except in cases provided for in Rule 36 (relating to the absence of a quorum).

Rule 36. No Quorum on Final Vote – Effect. If, on taking the vote on final action

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on a bill or concurrent resolution, it shall appear that a quorum is not present, then the bill or concurrent resolution shall retain its place on the Calendar and shall again be considered for final action when that order of business is again taken up by the Senate.

Rule 37. Roll Call Vote. A roll call vote shall be taken upon all questions upon the demand of five Senators.

Rule 38. Call of Senate – When Made – How Enforced. (a) A call of the Senate may be had upon the demand of five Senators, pending a roll call on the final passage of any bill or resolution, or on any motion to strike the enacting clause of a bill or the resolving clause of a resolution, or indefinitely postpone any bill or resolution, and before the result is announced. When a call is demanded, the President shall order the doors of the Senate to be closed and all members to be in their seats unless excused by the President. The President shall direct the Secretary to call the roll of the Senators and note the absentees, after which the names of the absentees shall be again called, and those for whose absence no sufficient excuse is given may be sent for and taken into custody by the Sergeant at Arms, or by Assistant Sergeants at Arms appointed for the purpose, and brought before the bar of the Senate, where unless excused by a majority of the Senators present, they shall be reprovved by the President for the neglect of duty.

(b) No motion to dispense with further proceedings under the call of the Senate shall be entertained until the President shall be satisfied that the Sergeant at Arms has made diligent effort to secure the attendance of the absentees.

Rule 39. Roll Call Votes. Every Senator in the Senate chamber when a roll call is taken shall respond when the Senator's name is called. If there is a call of the Senate, the Senator must vote Yea or Nay, except as provided in Rule 19 (Senators excused from voting if directly interested in the question). When there is no call of the Senate, the Senator may pass and shall be recorded in the Journal as present and passing. After the roll is completed and before the roll is closed, a Senator may change such Senator's vote. No vote shall be recorded and no change in vote may be made without unanimous consent of the Senate after announcement by the presiding officer that the roll is closed. No motion shall be in order during a roll call vote except as provided under Rule 34 for final action on bills and concurrent resolutions and except for a call of the Senate.

Rule 40. Committee of the Whole. On motion the Senate may go into Committee of the Whole. The President shall appoint a chairperson to preside over the Committee of the Whole. The rules of the Senate shall be observed in the Committee of the Whole, so far as applicable except that there shall be no limit on the number of times of speaking and Rule 38 (authorizing a call of the senate) shall not apply. A motion to lay on the table or a call for the previous question shall not be in order. No substitute motion to amend a bill or resolution shall be in order. A substitute motion to report a bill or resolution to the full Senate once made shall be decided subject only to debate and Rule 50 (motion to strike the enacting or resolving clause). A roll call shall be had on any question subject to the requirements of Rule 37.

Rule 41. No Quorum in Committee of the Whole – Procedure. If at any time, when in Committee of the Whole, it be ascertained that there is no quorum present, the chairperson shall immediately vacate the chair and report the fact to the President.

Rule 42. How Bills or Resolutions Considered – Committee of the Whole. Bills or resolutions shall be considered in Committee of the Whole in the following manner: The standing committee report shall first be considered and if it is adopted the bill or resolution as amended by the committee report shall be considered section by section,

and as each section is considered, amendments from the floor are in order to that section. If the committee report is not adopted, the bill or resolution, without committee amendments, shall be considered section by section, and as each section is considered amendments from the floor are in order to that section. After a section has been considered, no amendment thereto shall be in order until the whole bill or resolution has been read through. After the original bill or resolution, together with standing committee amendments, has been considered section by section the chairperson shall announce "Amendments to the bill (or resolution) generally are in order," and amendments not before offered may be made to any part of the bill or resolution. A motion to amend the bill or resolution shall not be in order while a motion to strike the enacting clause or resolving clause is pending.

Rule 43. Amendments. (1) Amendments to bills shall be germane to the subject of the bill being amended, and the fact that an amendment is to a section in the same chapter of the Kansas Statutes Annotated as an existing section in the bill shall not automatically render the amendment germane. Amendments to concurrent resolutions for amendments of the constitution of Kansas or ratification of an amendment to the Constitution of the United States shall be germane to the subject of the resolution being amended.

(2) All amendments to bills or resolutions shall be submitted in writing on a form provided by the Senate or on a form substantially similar. All amendments to printed bills or resolutions shall specify the page and line number as shown on the printed bill or resolution. If a bill or resolution has not been printed, amendments must refer to the typed bill or resolution. All amendments adopted shall be recorded in the Journal. The action taken on all amendments, whether adopted or rejected, shall be recorded in the Journal. When a bill or resolution has been amended, it shall be engrossed before it is enrolled.

(3) In the case of amendment by substitute bill or by substitute concurrent resolution, motion shall be made to substitute a written bill or concurrent resolution for the bill or concurrent resolution under consideration.

(4) A motion to amend a motion to amend a bill or resolution shall not be in order.

(5) Unless by majority consent to correct an error in drafting, no amendment to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill. Those portions of a motion to amend a bill as described in this subsection shall be indivisible.

Rule 44. Report of Committee of the Whole Subject to Amendment – Time for. The report of the Committee of the Whole is subject to amendment to correctly reflect what has occurred in the Committee of the Whole by motions made at the time the report is offered for adoption by the Senate. When a bill is reported with the recommendation that the enacting clause be stricken, and the report is agreed to by the Senate, the bill shall be considered killed.

Rule 45. Motion for Committee of the Whole to Rise and Report Progress. A motion that the Committee of the Whole shall rise and report progress on any bill shall always be in order and shall be decided without debate, and the matter being considered shall be the first order of business at the next session of the committee, subject to such postponement as the subsequent Committee of the Whole may determine. After a

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motion to rise and report progress has been adopted, the Subcommittee on Calendar of the Committee on Organization, Calendar and Rules may change for the resumption of the current session of the Committee of the Whole the order of consideration of bills and resolutions.

Rule 46. Division of the Senate. Whenever a voice vote has been taken upon any question in either the Senate or the Committee of the Whole, any Senator may call for a division of the Senate or Committee of the Whole.

Rule 47. Bills and Resolutions to Final Action. When the Committee of the Whole shall favorably report a bill or resolution, and the report is adopted by the Senate, the bill or resolution shall be considered as ordered to the order of business Final Action. The vote upon the final passage of the bill shall not be taken on the same day on which the bill is placed on Final Action. Bills and resolutions to be sent to the House shall be properly corrected under the supervision of the Secretary of the Senate. The Secretary of the Senate is authorized to correct misspelled words, punctuation and "doublets" or repeated words when preparing bills, resolutions or other documents for signature by officers of the Senate and House.

Rule 48. Bills and Resolutions – Inclusion of Amendments. When a bill or resolution is amended, the Secretary of the Senate shall attach to the original copy all amendments made in the Senate. Substitute bills and substitute concurrent resolutions shall accompany the bill or concurrent resolution for which each is substituted. Upon passage, Senate bills or resolutions, including the original copy and amendments, shall be transmitted to the House.

Rule 49. Reports of Transmittals in Journal – Committee – Reports. Report of transmittal of bills and resolutions to the House shall be immediately entered upon the Journal.

Rule 50. Motion to Strike Enacting or Resolving Clause – Debate Limited. No Senator may speak more than twice on a motion to strike the enacting clause of a bill or the resolving clause of a resolution, and no other motion, except a motion to adjourn, shall be in order until the motion to strike the enacting clause or resolving clause has been decided by roll call vote.

Rule 51. Two-thirds Vote Not Necessary Except on Final Passage of Resolution. When a resolution requiring a vote of 2/3 of the Senate for adoption is under consideration, a vote of 2/3 shall not be needed to decide any question short of its final passage, except as provided by these rules.

Rule 52. Bills and Resolutions Considered in Regular Order. The Subcommittee on Calendar of the Committee on Organization, Calendar and Rules shall designate from day to day and from time to time the bills and resolutions to be considered that day and on the next legislative day, and the order of consideration fixed by this subcommittee shall not be changed, except by unanimous consent or by a 2/3 vote of all the members of the Senate then elected (or appointed) and qualified, if unanimous consent is refused, or as provided in Rule 44.

Rule 53. Changing Order on Calendar. Not more than one bill or resolution may be named in a motion to change the order of the Calendar, and on each motion no Senator except the Senator making the motion shall speak more than once, nor longer than two minutes.

Rule 54. Resolutions – Classes – Procedures Thereon. Resolutions shall be of the following classes: (1) Senate resolutions; and (2) Senate concurrent resolutions. In

acting on them, the Senate shall observe the following procedure:

(1) Senate resolutions shall be in writing, shall be read and shall lie over one day. Senate resolutions other than resolutions for the amendment of rules of the Senate shall not be printed unless ordered by the Senate. There shall be no roll call unless ordered. With the consent of the majority of Senators present and voting, either the requirement to read Senate resolutions or the requirement to lie over one day, or both, may be dispensed with.

(2) Senate concurrent resolutions shall be in writing, shall be read by title, and shall lie over one day. All Senate concurrent resolutions shall be printed, and shall require a roll call on motion to adopt. Propositions to amend the constitution shall be made by concurrent resolution and referred to the proper committee. Other concurrent resolutions may be referred to a proper committee by the President.

(3) Notwithstanding any other rule of the Senate to the contrary, no Senator shall request and be the primary sponsor of more than three Senate resolutions or concurrent resolutions which congratulate, commemorate, commend, honor or are in memory of any individual, entity or event during a legislative session of the Senate, except upon approval of the President.

All House concurrent resolutions, when in the Senate, shall follow the same procedure as Senate concurrent resolutions.

This rule shall not apply to resolutions relating to the business of the day, nor to resolutions for organization or adjournment.

Rule 55. Confirmation of Appointments by Governor or Other State Official.

All nominations or appointments made by the governor or other state official, which are subject to Senate confirmation, may be considered and acted upon by the Senate in either executive or regular session except that no final action thereon may be taken in executive session. When nominations or appointments are made by the governor or other state official for confirmation by the Senate, they shall, unless otherwise ordered by the President, be referred to appropriate committees by the President. Nominations or appointments referred to committees shall be returned to the Senate within 20 legislative days after the same are referred, together with a report thereon, unless additional time be granted by a majority vote of senators present. If the nomination or appointment is not returned to the Senate within the period of time specified for its return and additional time has not been granted, the nomination or appointment shall be considered to be returned to the Senate without recommendation on the next legislative day following the last day of the period of time specified for its return. Any such appointment may be considered and acted upon by the Senate at any time after the nomination or appointment is returned to the Senate. The chairperson of the committee which recommends for confirmation a nomination or appointment may speak more than twice on the same day on the subject of the nomination or appointment. No motion to confirm any such appointment or nomination shall be in order without the unanimous consent of the Senate until the nomination or appointment is returned to the Senate, unless one day's previous notice thereof is given in open session or by posting the appointments or nominations to be considered near the entrance to the Senate chamber. Appointments shall be confirmed by the Senate only by an affirmative vote of a majority of all members of the Senate then elected (or appointed) and qualified.

Rule 56. Admittance to Floor – Lobbying on Floor – Galleries. No person shall

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be admitted to the floor of the Senate except elective state officers; members of the Legislature; friends of the members of the Senate, upon invitation signed by the President and the Senator extending the invitation; former members of the Senate, officers and employees of the legislative branch, and members of the news media who are actually employed, and who have a card of admission from the President. The Senate by resolution, may issue such invitations as it desires. Persons so admitted must stay in the perimeter of the Senate chamber except with the express permission of a member of the Senate. No one registered with the Secretary of State as an agent or lobbyist may be on the floor of the Senate during the hours of 9:30 a.m. to 4:30 p.m. nor at the time the Senate is in session. No person, other than a state officer or employee of the legislative branch or legislator, shall discuss any measure with any Senator on the floor of the Senate during the time the Senate is in session. Any person who violates this rule or any person who shall gain admission to the floor of the Senate by false representation shall be forthwith ejected from the Senate chamber and thereafter be denied admission. No employee shall lobby for or against any measure pending in the Senate, and any employee violating this rule shall be forthwith discharged. Former members of the Senate may be introduced when on the floor, but no other introductions shall be made during the session of the Senate, except the President may announce the attendance of school students or other groups visiting the Senate.

Visitors shall be allowed in one or both galleries of the Senate in accordance with directions to the Sergeant at Arms from the President.

Rule 57. Electronic Devices; Photographic Record of Vote; Food and Drink. (a) The making of telephone calls in the galleries of the Senate is prohibited. Except for security personnel, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in a committee room during any time when a committee or subcommittee is in session in the room, in the galleries during any time when the Senate is in session and in the Senate Chamber during any time the Senate is in session is prohibited. The use of video recorders, cellular devices used as a video recording device or other video equipment in the galleries is prohibited, except for the official live feed of Senate proceedings or as granted by permission of the President. Flash photography and the possession of food or drink in the galleries is prohibited.

(b) No photographic or similar record shall be made of the vote of any member upon any measure on which a division of the Senate has been called, except that any photographic or similar record made by the official live video feed of Senate proceedings, the credentialed media or as granted permission by the President shall be permitted.

(c) The gallery located above the offices of the President and the Majority Leader shall be considered the President's gallery. Enforcement of this rule in the President's gallery shall be subject to the discretion of the President.

Rule 58. Chairs of Senators. No person except a member of the Senate, shall occupy the chair of any Senator at any time except with the approval of and in the presence of a member of the Senate.

Rule 59. The News Media. Employees of the news media displaying a card of admission from the President may only occupy space designated for them in the Senate chamber. They shall be subject to all the rules of the Senate and shall conduct themselves with proper decorum while in the Senate chamber. They shall not lobby,

directly or indirectly, for or against any measure pending before the legislature.

Rule 60. Secretary of Senate – Duties. The Secretary of the Senate shall be appointed by the President. It shall be the duty of the Secretary to call the roll; report correctly the result of all votes; correct the Journal as may be directed by the Senate; read all bills, resolutions, petitions or other papers which the Senate may require; deliver all messages to the House of Representatives; certify all enrolled bills and present same to the President or Vice President of the Senate for signature; endorse upon every paper presented in the Senate the successive stages of action had thereon, and see that proper records are made of the transmission of every paper from one house to the other, or from one office to another; and attend generally to such other matters as the office may require. The Secretary of the Senate shall deliver to the printer all bills and other documents ordered to be printed and take the receipt of the printer therefor. In order to secure a uniform and systematic procedure, the following clerks and their assistants shall be under the supervision of the Secretary: Assistant Secretary of the Senate, Journal Clerks, Calendar Clerks, Enrolling Clerks, Bill Status Clerk, Reading Clerk and Bill Clerk.

Rule 61. Impeachment. The provisions of this rule shall apply to impeachment, and nothing in the rules of the Senate or in any statute shall impair or limit the powers of the Senate with respect to impeachment. In addition to other powers, the President shall possess the powers and perform the duties in this rule.

(1) The President shall call the Senate into session within 30 days of the receipt by the President of any request by a board of managers of the House of Representatives to lay articles of impeachment before the Senate.

(2) The Senate by a majority vote of the members then elected (or appointed) and qualified may adopt, amend or suspend rules applicable to trial of any impeachment.

(3) The President and any officer or committee acting under authority of this rule may follow any statutory procedure to the extent the same is not in conflict with the provisions of this rule, but nothing in this rule nor in any statute shall be deemed to constitute a waiver of any inherent powers of the Senate.

Rule 62. Sergeant at Arms – Duties. The Sergeant at Arms shall be appointed by the President, and shall serve under the President's direction, control and supervision and at the President's pleasure and shall execute all orders of the President or Senate. The Sergeant at Arms shall have the general supervision of the Senate Chamber, the cloak rooms, gallery and lobby, and shall preserve order within the chamber at all times. The Sergeant at Arms may arrest and take into custody any person gaining admission to the floor of the Senate through false representations or violation of Rule 56 (listing persons authorized to be admitted to the floor of the Senate). All violations shall be immediately reported to the President for action by the Senate. No person except those entitled to admittance on the floor of the Senate pursuant to Rule 56 (listing persons authorized to be admitted to the floor of the Senate) shall lounge or loaf in the Senate chamber when the Senate is not in session, and the Sergeant at Arms shall detail at least one assistant to remain in the chamber at all times when the same is open. The President may appoint and remove Assistant Sergeants at Arms to serve under the supervision of the Sergeant at Arms. All doorkeepers and night watchmen shall be Assistant Sergeants at Arms.

Rule 63. Requisitions for Printing. All requisitions upon the Director of Printing for calendars, bills, documents, and printed matter of any nature whatsoever, must be

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approved by the Director of Legislative Administrative Services.

Rule 64. Employees – Duties. All employees shall report each day to their respective supervisors. The Director of Legislative Administrative Services or some person designated by the director shall keep a record of the attendance of each employee. The supervisor of an employee may discharge the employee at any time. The word "employee" as used in this section shall include all persons employed by the Senate, except the secretaries of each of the members of the Senate and except the Secretary of the Senate and Sergeant at Arms, which officers may be removed by the President of the Senate.

Rule 65. Pages. Not more than 20 pages shall serve during any legislative day. Appointments shall be restricted to boys and girls of middle school, junior high or high school age.

Rule 66. Secretaries to Members. Each Senator shall be entitled to select a secretary and shall inform the Director of Legislative Administrative Services of the selection. The secretaries shall not be paid for time they are not in attendance unless excused by their respective Senators. From the convening of the Senate until adjournment on any day, except during recesses, no Senator's secretary shall be stationed at the Senator's desk, except that this provision shall not apply to the administrative assistant designated by the President.

Rule 67. Suspension of Rules. (a) A motion to suspend the rules may be made and considered under any order of business. A 2/3 affirmative vote of all Senators then elected (or appointed) and qualified shall be required for its adoption. The motion shall be decided without debate.

(b) A motion to declare an emergency, suspend the rules, and advance a bill to Final Action shall be considered as one motion. It may be made and considered immediately under any order of business, and be debatable on the question of the emergency. A 2/3 affirmative vote of all Senators then elected (or appointed) and qualified shall be required for its adoption.

(c) A bill advanced to Final Action under subsection (b) which is not considered during the legislative day on which it is advanced to Final Action shall be placed on the next legislative day on the Calendar under the order of business General Orders.

Rule 68. Amendments to Rules. No rule of the Senate shall be adopted, amended or revoked without a 2/3 affirmative vote of all members of the Senate then elected (or appointed) and qualified, and no motion to adopt, amend or revoke any rule of the Senate shall be in order without the unanimous consent of the Senate, unless one day's previous notice thereof shall be given in open session.

Notwithstanding any provision of the rules of the Senate to the contrary, no notice shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the Senate at the commencement of a legislative session, and adoption of any such resolution shall require only the affirmative vote of not less than a majority of the Senators then elected (or appointed) and qualified, subject to the following conditions: (1) The resolution is sponsored by the President or any three Senators, and (2) either (a) a copy thereof is emailed to each Senator not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (b) in lieu of e-mailing copies of the resolution are made available to Senators on the first day of the legislative session and Final Action is taken on the second legislative day.

Rule 69. Robert's Rules of Order. In all cases where these rules or the joint rules of the Senate and House of Representatives do not apply, the rules of parliamentary law in Robert's Rules of Order Newly Revised, 11th edition, shall govern.

Rule 70. Number Designation of Substitute Bills and Substitute Concurrent Resolutions. (a) Whenever a substitute bill is recommended by a committee report, and whenever a substitute bill is approved by amendment from the floor, the substitute bill shall be printed as provided for bills introduced, and the bill number designation shall be substantially as follows:

(1) In the case of bills substituted for Senate bills, "Substitute for Senate Bill No. _____," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(2) In the case of bills substituted for House bills, "Senate Substitute for House Bill No. _____," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(b) Whenever a substitute concurrent resolution is recommended by a committee report, and whenever a substitute concurrent resolution is approved by amendment from the floor, the substitute concurrent resolution shall be printed as provided for concurrent resolutions introduced, and the resolution number designation shall be substantially as follows:

(1) In the case of concurrent resolutions substituted for Senate concurrent resolutions, "Substitute for Senate Concurrent Resolution No. _____," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

(2) In the case of concurrent resolutions substituted for House concurrent resolutions, "Senate Substitute for House Concurrent Resolution No. _____," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

Rule 71. General Rule Not to Read Amendments. Amendments to bills or resolutions shall not require readings as for bills introduced or resolutions introduced, except as otherwise provided in Rule 72 (subject matter of bill or resolution materially changed by senate amendment) or Rule 73 (subject matter of senate bill or resolution materially changed by house amendment).

Rule 72. Subject Change by Senate. Whenever an amendment adopted by the Senate has materially changed the subject of a bill or resolution, the title of the bill or resolution so amended shall be read in the manner prescribed for the introduction of bills or resolutions, and take its place upon the Calendar under the order of business Final Action.

Rule 73. Subject Change by House. Whenever the House adopts amendments to a Senate bill or senate concurrent resolution which materially changes its subject, upon return of such bill or resolution to the Senate, the title of such bill or resolution shall be read in the manner prescribed for the introduction of bills or resolutions and such bill or resolution shall be referred as provided in Rule 32 (reference of bills and resolutions).

Rule 74. Determination of When Subject of Bill or Resolution Materially Changed. The President may determine when a bill or resolution is subject to Rule 72 (subject matter of bill or resolution materially changed by senate amendment) or Rule 73 (subject matter of senate bill or senate concurrent resolution materially changed by house amendment). The President's determination under this rule, that a bill or

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resolution has been materially changed is subject to an appeal to the Senate by any member. A 2/3 vote of the members of the Senate present and voting shall be required to overturn the ruling of the chair. The vote on an appeal to the Senate under this rule shall not be a roll call vote. Every appeal under this rule shall be taken without debate.

Rule 75. Executive Reorganization Orders. When an executive reorganization order is received from the Governor, it shall be referred to an appropriate committee by the President. The committee to which an executive reorganization order is referred shall report its recommendations thereon, by recommending adoption of a Senate resolution, not later than the 60th calendar day of any regular session and not later than 30 calendar days after it has received such referral whichever occurs first. If a committee fails to report upon an executive reorganization order within the time specified in this rule, such committee shall be deemed to have returned the same to the Senate without recommendation. When a report or return of an executive reorganization is made, it and all resolutions for approval or disapproval thereof shall be made the special order of business in accordance with Rule 6 (special order of business) at a time not later than the last day the executive reorganization order may be disapproved under section 6 of article 1 of the Constitution of Kansas. The Senate shall act to approve or reject every reorganization order unless at the time set for such action the House of Representatives shall have already rejected such executive reorganization order.

Rule 76. Censure or Expulsion. Whenever three or more Senators desire to lodge a complaint against any other Senator requesting that the Senator be censured or expelled for misconduct, the complaining Senators shall sign and file a written statement of such complaint with the Secretary of the Senate. In such event, the President shall appoint a select committee for consideration thereof composed of five Senators, no more than three of whom shall be members of the same political party, and none of whom shall have signed the complaint to be considered. The select committee may dismiss the complaint after inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the Senator against whom a complaint has been filed. Select committees meeting under authority of this section shall be authorized to meet and exercise compulsory process without further authorization, subject only to the limitations and conditions prescribed in article 10 of chapter 46 of Kansas Statutes Annotated. Upon completing its hearing and deliberations thereon the select committee may dismiss the complaint or may submit a recommendation to the full Senate for censure or expulsion, and upon receiving such report the Senate may without further hearing or investigation censure or expel the member against whom the complaint was filed. Censure or expulsion of a Senator under this rule shall require a 2/3 majority vote of those members elected (or appointed) and qualified.

Rule 77. Taking from the Table. The affirmative vote of a 2/3 majority of all Senators then elected (or appointed) and qualified shall be required for the adoption of a motion to take any question or proposition from the table after the adoption of a motion to table or lay such question or proposition on the table. The provisions of this rule shall apply to motions both in standing committees and the Senate.

Rule 78. Placing Material on Members' Desks. No items or material shall be placed upon the desk of any member of the Senate unless any such item or material bears the signature or name of the Senator responsible for its distribution. This Rule 78 shall not apply to items or material provided by legislative staff, the Governor or state agencies.

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Rule 79. Decorum. During the time the Senate is in session professional dress is required on the floor of the Senate.

**JOINT RULES OF THE SENATE AND
HOUSE OF REPRESENTATIVES
2023-2024**

Joint Rule 1. Joint rules; application and date of expiration; adoption, amendment, suspension and revocation.

(a) Joint rules; expiration, adoption, amendment, suspension and revocation; vote required. Joint rules are adopted under the authority of section 8 of article 2 of the Constitution of the State of Kansas and shall govern matters made subject thereto except when otherwise specifically provided by joint rule. Joint rules shall expire at the conclusion of the terms of representatives. Joint rules shall be adopted, amended, suspended and revoked by concurrent resolution of the two houses of the legislature. Concurrent resolutions adopting joint rules shall receive the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house.

(b) Amendment, suspension or revocation of joint rules; previous notice; vote required. After one day's previous notice, joint rules may be amended, suspended or revoked by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house. Upon the filing of such notice in either house, a message shall be sent to the other house advising of the filing of such notice and the reading of the message shall constitute notice to the members of such house. If such previous notice is not given, the affirmative vote of 2/3 of the members then elected (or appointed) and qualified in each house shall be required for the amendment, suspension or revocation of a joint rule.

(c) Amendment, suspension or revocation of joint rules at commencement of legislative session; vote required; conditions. Notwithstanding any provision of this rule to the contrary, no notice shall be required for the adoption of a concurrent resolution amending, suspending or revoking any one or more joint rules at the commencement of a legislative session, and adoption of any such concurrent resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house, subject to the following conditions: (1) The concurrent resolution is sponsored by the speaker or the president; and (2) either: (a) A copy thereof is mailed to each member of the legislature by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence; or (b) in lieu of mailing, copies of the concurrent resolution are made available to members on the first day of the legislative session and final action is taken on a subsequent legislative day.

Joint Rule 2. Joint sessions.

(a) Joint session called by concurrent resolution; vote required; time, place and subject matter. A joint session of the senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

(b) Presiding officer at joint sessions; record of joint session; rules applicable. The

speaker of the house of representatives shall preside at all joint sessions of the senate and house of representatives, and the clerk of the house of representatives shall keep a record of the proceedings thereof and shall enter the record of each such session in the journal of the house of representatives. The rules of the house of representatives and the joint rules of the two houses, insofar as the same may be applicable shall be the rules for joint sessions of the two houses.

(c) *Votes in joint session; taking; requirements.* All votes in a joint session shall be taken by yeas and nays, and in taking the same it shall be the duty of the secretary of the senate first to call the names of the members of the senate, and after which the clerk of the house of representatives shall in like manner call the names of the members of the house. Each member of the senate and the house of representatives present shall be required to vote on all matters considered in joint session, unless excused by a vote of a majority of the members of both houses present.

Joint Rule 3. Conference committee procedure.

(a) *Action by house of origin of bill or concurrent resolution amended by other house.* When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

(c) *Motion to nonconcur; when considered final action; effect of adoption of motion.* A vote in the house of origin of any bill or concurrent resolution on a motion to nonconcur or to refuse to concur in amendments to such bill or concurrent resolution by the other house which is not coupled with a request for the appointment of a conference committee shall be considered action on final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal, and the bill or concurrent resolution shall be deemed killed on the adoption thereof.

(d) *House of origin refusal to concur or nonconcur; request for conference; procedure.* When a bill or concurrent resolution is returned by either house to the house of origin with amendments, and the house of origin refuses to concur or to nonconcur

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therein, a conference may be requested by a majority vote of the members present and voting. Such request shall be transmitted to the other house by message which shall include the names of the conferees on the part of the requesting house. Upon receipt of any such message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

(e) Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee. Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not fewer than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

(f) Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business. Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation.

Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of four additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision.

A conference committee report shall not be subject to amendment.

The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to

accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of 2/3 of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) *Signatures required on conference committee reports.* All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All initial conference committee reports which are an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

(h) *Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report.* The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and remains in conference.

(i) *Report of conference committee unable to agree; effect of failure to request new conference committee; effect of failure of motion to adopt report requesting new conference committee.* If a conference committee upon any bill or concurrent resolution is unable to agree, it shall report that fact to both houses. Such report may request that a new conference committee be appointed thereon. If the committee so reports but fails to request the appointment of a new conference committee thereon, the bill or concurrent resolution shall be deemed to have been killed upon the adoption by either house of such report. If the motion to adopt a report requesting the appointment of a new conference committee fails, the bill or concurrent resolution shall be deemed to be killed.

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(j) *Bills or concurrent resolutions under consideration by conference committees and reports thereof; carryover from odd-numbered to even-numbered year.* Bills or concurrent resolutions under consideration by a conference committee, or a report of which has been filed but no action taken thereon in either house, at the time of adjournment of a regular session of the legislature held in an odd-numbered year shall remain alive during the interim and may be considered by the committee and legislature as the case may be at the regular session held in the following even-numbered year.

Joint Rule 4. Deadlines for introduction and consideration of bills.

The senate and house of representatives shall observe the following schedule of deadlines in making requests for drafting and in the introduction and consideration of bills.

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on January 30, 2023, during the 2023 regular session and on January 29, 2024, during the 2024 regular session.

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 8, 2023, during the 2023 regular session and on February 7, 2024, during the 2024 regular session. Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 6, 2023, during the 2023 regular session and on February 5, 2024, during the 2024 regular session.

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 10, 2023, during the 2023 regular session and on February 9, 2024, during the 2024 regular session.

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on February 24, 2023, during the 2023 regular session and on February 23, 2024, during the 2024 regular session.

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 29, 2023, during the 2023 regular session and on March 28, 2024, during the 2024 regular session.

(g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific exceptions to the limitations prescribed in subsections (d), (e) and (f) may be made in either house by resolution adopted by the affirmative vote of not less than a majority of the members of such house then elected (or appointed) and qualified.

(h) *Deadline which falls on day neither house in session; effect.* In the event that any deadline prescribed in this rule falls on a day that neither house of the legislature is in session, such deadline shall be observed on the next following day that either house is in session.

(i) *Bills introduced in odd-numbered years after deadlines; effect.* Bills may be introduced by members and committees in regular sessions occurring in an odd-numbered year after the times prescribed in (b) and (d) of this rule, but there shall be no final action thereon by either house during the session when introduced. Such bills shall be held over for consideration at the next succeeding regular session held in an even-numbered year.

(j) *Modification of schedule of deadlines for introduction and consideration of bills; procedure.* In any regular session a concurrent resolution may be adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house setting forth a different schedule of deadlines for introduction and consideration of bills for that session and the provisions of such concurrent resolution shall apply to such session notwithstanding provisions of this rule to the contrary.

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 6, 2023, during the 2023 regular session and after April 5, 2024, during the 2024 regular session except bills vetoed by the governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

Joint Rule 5. Closure of meetings to consider matters relating to security.

Any standing committee of the house of representatives, any standing committee of the senate, the legislative coordinating council, any joint committee of both houses of the legislature, any special or select committee of the house of representatives or the senate, the house of representatives in session, the senate in session or a joint session of the house of representatives and the senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the state of Kansas.

Journal of the Senate

FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 8, 2024, 2:00 p.m.

In accordance with the provisions of the Constitution of the State of Kansas and by the virtue of his office as President of the Senate, Senator Ty Masterson declared the 2024 Senate to be in session.

The roll was called with 40 senators present.

President Masterson welcomed Reverend Cecil T. Washington, who will again serve as the Senate Chaplain. Reverend Washington delivered the following invocation:

Aligned With Godly Wheels of Wisdom
James 1:17, Proverbs 3:5-7

Heavenly Father, it's a significant expression of Your mercy and grace for us to be here today. In James 1:17, You made it clear, that every good and blessed gift comes from You. So, thank You Lord, for gifting us with this new opportunity to serve You and Your people.

In conjunction with this Lord, we're asking for Godly wisdom to know what You want us to do; guidance to know how, and strength for the ability. When the wheels of a vehicle are not properly aligned, it can lead to major repair costs. And the sooner they are corrected, the better the chances for us to have a good run. Lord, that's what we want this go around. We want this to be a good run; a winning run; a Godly run. Help us to see more than the normal, and to see beyond the natural.

Let this be the kickoff of a time marked by clear and obvious evidence that the power of Your Holy Spirit is moving among us. Bring all our wheels into a blessed alignment with You; every thought, every attitude, every decision, every action.

You gave us, through the wisdom of Solomon in Proverbs 3:5-7, to trust You with all our hearts and not depend on our own understanding or be impressed by our own wisdom. You said we're to seek Your will in everything we do and You would show us what path to take.

So, when we begin to drift to the left or right, use that internal warning light of Godly guilt, to bring us back to center. In the Name of Jesus, this appeal is for continuing alignment with You. Amen

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolutions were introduced and read by title:

SB 327, AN ACT concerning taxation; relating to homestead property tax refund

claims; excluding social security payments from household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased property tax claims; citing the section as the golden years homestead property tax freeze program; amending K.S.A. 2023 Supp. 79-4508a and repealing the existing section, by Senator Holland.

SB 328, AN ACT concerning restrictions on the employment of members of the legislature and the lieutenant governor; repealing K.S.A. 75-303, by Senator Holland.

SB 329, AN ACT concerning economic development; relating to the Kansas angel investor tax credit act; discontinuing issuance of new tax credits after 2024; amending K.S.A. 2023 Supp. 74-8133 and repealing the existing section, by Senator Holland.

SB 330, AN ACT concerning audits; relating to the legislative division of post audit; eliminating the requirement for such division to conduct a recurring 911 implementation audit, a recurring Kansas public employees retirement system audit and certain economic development incentive audits; amending K.S.A. 12-5377 and repealing the existing section; also repealing K.S.A. 46-1136 and 46-1137, by Committee on Legislative Post Audit Committee.

SB 331, AN ACT concerning health and environment; relating to public water supply systems and hazardous waste; removing the definition of lead-free and an exception for leaded joints from public water supply system laws; updating terminology relating to hazardous waste generated by certain persons; amending K.S.A. 65-171r, 65-3415, 65-3415a and 65-3460 and K.S.A. 2023 Supp. 65-3402 and repealing the existing sections, by Senator Kerschen.

SB 332, AN ACT concerning taxation; relating to the local ad valorem tax reduction fund; authorizing a distribution of moneys from such fund in fiscal year 2025 and all fiscal years thereafter; providing for the distribution of all moneys received from such fund to residential property taxpayers in the form of a state rebate; providing for reports to the legislature and performance audits; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-1479, 79-2960 and 79-2961 and K.S.A. 2023 Supp. 79-2959 and repealing the existing sections, by Senator Olson.

SENATE CONCURRENT RESOLUTION No. 1613—

By Senator Holland

A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; decreasing the assessed valuation of property in determining property taxes for real property used for residential purposes and real property necessary to accommodate a residential community of mobile or manufactured homes.

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

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of article 11 of the constitution of the state of Kansas is hereby amended to read as follows:

§ 1. System of taxation; classification; exemption. (a) The provisions of this subsection shall govern the assessment and taxation of property on and after January 1, ~~2013~~ 2025, and each year thereafter.

Except as otherwise hereinafter specifically provided, the legislature shall provide for a uniform and equal basis of valuation and rate of taxation of all property subject to taxation. The legislature may provide for the classification and the taxation uniformly as to class of recreational vehicles and watercraft, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically provided, mineral products, money, mortgages, notes and other evidence of debt and grain. Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:

Class 1 shall consist of real property. Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located.....11½%:
Commencing January 1, 2025.....10½%
Commencing January 1, 2026, and each year thereafter.....9½%
- (2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution.....30%
- (3) Vacant lots.....12%
- (4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code, and which is included in this subclass by law.....12%
- (5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed.....33%
- (6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use.....25%
- (7) All other urban and rural real property not otherwise specifically subclassified.....30%

Class 2 shall consist of tangible personal property. Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Mobile homes used for residential purposes.....11½%
- (2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100

- mcf or less, which shall be assessed at 25%.....30%
- (3) Public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed.....33%
- (4) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985.....30%
- (5) Commercial and industrial machinery and equipment which, if its economic life is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost when new of such property.....25%
- (6) All other tangible personal property not otherwise specifically classified.....30%

(b) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation."

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

"Explanatory statement. This amendment would decrease the assessed valuation in determining property taxes for real property used for residential purposes and real property necessary to accommodate a residential community of mobile or manufactured homes.

"A vote for this proposition would decrease the assessed valuation in determining property taxes for real property used for residential purposes and real property necessary to accommodate a residential community of mobile or manufactured homes from 11¹/₂% to 10¹/₂% for 2025 and 9¹/₂% for 2026 and each year thereafter.

"A vote against this proposition would continue the assessed valuation of real property used for residential purposes and real property necessary to accommodate a residential community of mobile or manufactured homes at 11¹/₂%."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2024, unless a special election is called at a sooner date by concurrent resolution of

the legislature, in which case the proposed amendment shall be submitted to the electors of the state at the special election.

SENATE CONCURRENT RESOLUTION No. 1614—

By Senator Olson

A PROPOSITION to amend section 2 of article 2 of the constitution of the state of Kansas; providing for term limits for senators and representatives.

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

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 2 of article 2 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 2. Senators and representatives. (a) The number of representatives and senators shall be regulated by law, but shall not exceed ~~one hundred twenty-five~~ 125 representatives and ~~forty~~ 40 senators. Representatives and senators shall be elected from single-member districts prescribed by law. Representatives shall be elected for ~~two-year~~ two-year terms. Senators shall be elected for ~~four-year~~ four-year terms. The terms of representatives and senators shall commence on the second Monday of January of the year following election.

(b) (1) *From and after January 13, 2025, no individual shall be elected as a representative for more than six two-year terms.*

(2) *From and after January 13, 2025, no individual shall be elected as a senator for more than three four-year terms.*

(3) *From and after January 13, 2025, no individual who has been elected to serve as a representative then elected to serve as a senator or elected to serve as a senator and then elected to serve as a representative shall serve longer than a total of 16 years.*

(4) *For the purpose of computing the time period under either paragraph (1) or (2), no time spent serving as either a representative or senator prior to January 13, 2025, shall be counted."*

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

"Explanatory statement. This amendment would limit an individual's service as a state representative to six two-year terms and an individual's service as a state senator to three four-year terms starting on January 13, 2025. Any terms of service occurring prior to January 13, 2025, would not be subject to this limitation. Further, no individual may serve as a representative and then as a senator or as a senator and then as a representative for more than a total of 16 years.

"A vote for this proposition would term limit an individual's service as a state representative or state senator.

"A vote against this proposition would retain the current constitutional provisions that impose no limitations on the number of terms an

individual may serve as a representative or as a senator."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate, and two-thirds of the members elected (or appointed) and qualified to the House of Representatives shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

INTRODUCTION OF SENATE RESOLUTIONS

SR 1730, A RESOLUTION concerning the rules of the Senate for 2021-2024, by Senators Olson, Pyle and Sykes

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senators Masterson, Alley and Sykes introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1728—

A RESOLUTION relating to the organization of the Senate.

Be it resolved by the Senate of the State of Kansas: That the Secretary of the Senate notify the House of Representatives that the Senate is organized with the following officers:

Ty Masterson, president,
Rick Wilborn, vice president,
Larry Alley, majority leader,
Dinah Sykes, minority leader,
Corey Carnahan, secretary,
Don Cackler, sergeant at arms,
and awaits the pleasure of the House of Representatives.

On emergency motion of Senator Alley **SR 1728** was adopted by voice vote.

Senators Erickson, Alley, Baumgardner, Billinger, Blasi, Claeys, Corson, Dietrich, Fagg, Kerschen, Kloos, Masterson, McGinn, Peck, Steffen, Thompson and Warren (see kslegislature.org for updated sponsor list) introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1729—

A RESOLUTION condemning the October 7 attacks on the State of Israel and reaffirming Kansas' support and cooperation with the State of Israel.

WHEREAS, Israel was founded following the killing of 6,000,000 Jewish people during the horror of the Holocaust and World War II; and

WHEREAS, On October 7, 2023, Hamas launched air, ground and sea strikes on Israel, targeting Israel's civilian population; and

WHEREAS, The United States has considered Hamas to be a terrorist organization since 1997; and

WHEREAS, Hamas has murdered, burned, raped, beheaded and disfigured over 1,400 Israelis, including hundreds of women, children and elderly, throughout southern

Israel while concurrently launching indiscriminate rocket attacks across the entirety of Israel; and

WHEREAS, Hamas deliberately and systematically used sexual violence against women as a weapon; and

WHEREAS, American citizens were among those murdered on October 7; and

WHEREAS, The attacks on October 7 resulted in the deadliest day for Jewish people since the Holocaust and the deadliest day on Israeli soil since the Yom Kippur war in 1973; and

WHEREAS, Over 240 hostages were taken from Israel into Gaza, including over 100 women, children and elderly; and

WHEREAS, The hostages taken included Americans and citizens from around the world; and

WHEREAS, The ages of hostages range from nine months old to 86 years old and include over 30 hostages under the age of 16; and

WHEREAS, Over half of the hostages taken on October 7 remain unaccounted for with no end to their captivity in sight; and

WHEREAS, Hamas' actions have resulted in a 400% increase in antisemitism nationally, including multiple incidents at the University of Kansas; and

WHEREAS, Local Jewish communities have had to increase their security, similar to the security presence required after the 2014 antisemitic attacks in Overland Park; and

WHEREAS, The people of Kansas share a connection with the people of Israel and view Israel as a trusted ally: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we condemn the unprovoked attacks on the State of Israel and reaffirm Kansas' support and cooperation with the State of Israel; and

Be it further resolved: That we demand the unconditional safe return of the hostages; and

Be it further resolved: That we unequivocally support Israel's right to exist, defend itself and protect its citizens from terrorism and harm; and

Be it further resolved: That we place the blame for all violence that occurred on October 7 and thereafter on Hamas, who in their founding charter have stated their intent to exterminate both Israel and the Jewish people at any cost; and

Be it further resolved: That we reject all forms of antisemitism, including threats against Jewish people and Jewish institutions; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Consul General Maor Elbaz-Starinsky, Director of AJC/JCRB Kansas City, Gavriela Geller, Jewish Federation of Greater Kansas City president and CEO, Jay Lewis and David Soffer.

Senator Alley motioned to advance to Emergency Final Action, subject to amendment, debate and roll call. Motion carried.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claey's, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Doll, Francisco, Haley, Holland, Sykes, Ware.

The resolution was adopted.

The Call of the Senate was lifted.

EXPLANATION OF VOTE

I vote “NO” on **Senate Resolution No. 1729**. As written, this resolution seems more political theatre than substance and was presented with little advance notice and no opportunity for public hearings or amendments on the floor. Kansans can do little to demand the unconditional safe return of the hostages and certainly should consider withholding a placement of all blame before we learn of the findings of the International Court of Justice regarding allegations of genocide. I do believe, however, that the legislature should address concerns of threats and safety. My Senate district has a diverse constituency, and because it includes the University of Kansas, I have both Israeli and Palestinian people as residents. As I see it, the State’s priority is for everyone to be physically safe, and to have an opportunity to peacefully express their views. I hope we focus on those during the rest of the session.—MARC FRANCISCO

As currently the longest tenured Kansas Senator, I can attest with certainty that in my 30 years here seldom, if ever, has any non-binding, inconsequential to Kansas policy, measure been brought to the Floor for debate AND vote on the FIRST day of any Session. Further, that a Call of the Senate compelling myself and other Members who had voted “PASS” to vote “AYE” or “NO” would be raised only adds to this dumbfounding theatre. My push to vote from “PASS” to “NO” on this Resolution is only due to the incompleteness of the entire matter in the document; the “rest of the story” as some might say. We all have heard of the response by Israel in the fair and frenzied hunt to root out and destroy Hamas and most cheer that. The concern has been the aggrieved taking of thousands of innocent lives and properties of Palestinians who are hapless pawns where the terrorists hide and prey. And that too is wrong to allow and, I feel, for the US (and yes, I guess that too must include Kansans) to support. With no opportunity for committee discussion or amendment, this hurriedly crafted Resolution is pure theatre addressing one major wrong but not another. And these two wrongs, don’t make this Resolution right so I am compelled to vote “NO” instead of “PASS” by our colleagues.—DAVID HALEY

Our legislative process is broken. Senate Republican leadership has once again put the needs of the special interests ahead of everyday Kansas citizens by pushing through a roll call vote on the very first day of the 2024 legislative session. Today’s rushed debate and vote, combined with the lack of properly scheduled, announced and conducted public hearings regarding the subject matter laid before this body, puts on full display Senate Republican leadership’s complete disregard of the needs, thoughts, and aspirations of ALL Kansans. I vote NO on **SR 1729**.—TOM HOLLAND

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Holland on **SR 1729**.

The Israel-Hamas war is a tragedy, and I’m praying every day for a resolution that allows both sides to live in peace. That said, there is little or nothing the Kansas legislature can do to influence this conflict. I stand with those who reject the crime of intentionally targeting civilians. However, that violence is aided and abetted when we

oversimplify history and ignore nuance. We're better than that. Let me be clear: I do not condone antisemitism. I do not support terror. This resolution trivializes human suffering in a way that does not lead to justice, peace, or joy. That's why I'm voting no. I hope we find a way to focus on policy that leads to positive change for Kansans.—
DINAH SYKES

Senators Francisco and Ware request the record to show they concur with the “Explanation of Vote” offered by Senator Sykes on **SR 1729**.

MESSAGES FROM THE GOVERNOR

The following appointments made by the Governor and submitted to the Senate for confirmation were introduced and their appointment letters read:

Patty Becker, Member, Pooled Money Investment Board (submitted November 7, 2023)

Alan Deines, Member, Kansas Development Finance Authority (submitted November 7, 2023)

Romano Delcore, M.D., Member, University of Kansas Hospital Authority (submitted November 7, 2023)

Mark Engholm, State Fire Marshal (submitted November 7, 2023)

Michelle Ewert, Member, State Board of Indigents' Defense Services (submitted June 27, 2023)

Mike Fleming, Member, Kansas Racing and Gaming Commission (submitted November 7, 2023)

Joni Franklin, Member, Public Employee Relations Board (submitted June 23, 2023)

Craig Heideman, Member, Pooled Money Investment Board (submitted June 27, 2023)

Emily Hill, Member, Kansas Public Employees' Retirement System Board of Trustees (submitted November 7, 2023)

Colonel Nicholas Jaskoiski, Brigadier General, Kansas National Guard (submitted June 27, 2023)

Alysia Johnston, Member, State Board of Regents (submitted June 27, 2023)

Ann (Annie) Keuther, Commissioner, Kansas Corporation Commission (submitted September 6, 2023)

Dr. Elizabeth King, Member, University of Kansas Hospital Authority (submitted June 23, 2023)

Kevin Lockett, Member, University of Kansas Hospital Authority (submitted November 7, 2023)

Dawn McClure, Public Member, Employment Security Board of Review (submitted June 23, 2023)

Robba Moran, Member, University of Kansas Hospital Authority (submitted November 7, 2023)

Catherine Moyer, Member, Kansas Lottery Commission (submitted June 23, 2023)

Justin Nichols, Member, State Banking Board (submitted November 7, 2023)

Neelima Parasker, Member, State Board of Regents (submitted June 27, 2023)

Pamela (Pam) Pierce, Member, Employment Security Board of Review (submitted June 23, 2023)

Calvin Reed, Secretary of Transportation (submitted June 27, 2023)

Vicki Ryan, At-Large Member, Kansas Lottery Commission (submitted June 23,

2023)

Keely Schneider, Member, Public Employee Relations Board (submitted June 29, 2023)

Jon Small, Member, Kansas Development Finance Authority (submitted June 23, 2023)

Erik Smith, Superintendent, Kansas Highway Patrol (submitted June 27, 2023)

Brad Stratton, Member, Kansas Public Employees' Retirement System Board of Trustees (submitted June 23, 2023)

Ed Trimmer, Member, Kansas Lottery Commission (submitted June 27, 2023)

Larry Turnquist, Member, Kansas Racing and Gaming Commission (submitted June 23, 2023)

COMMUNICATIONS FROM STATE OFFICERS

Secretary of the Senate Corey Carnahan submitted a letter to the Office of the Senate President listing the following communications received during the 2023 Interim:

Annual Report of the Pooled Money Investment Board

House Joint Resolution 1017 adopted by the Oklahoma Legislature

FY 2022 Crime Victims Compensation Annual Report

Child Death Review Board 2023 Annual Report

FY 2022 Kansas Guardianship Program Annual Report

FY 2023 Annual Report of the Juvenile Justice Oversight Committee

Kansas Turnpike Authority Annual Report and Customer Survey Results

FY 2023 Annual Report of the Central Interstate Low-Level Radioactive Waste Compact Commission

FY 2023 CARE and PASRR Reports

Juvenile Justice Annual Report 2023-2024, Kansas State Department of Education

Early Retirement Report, Kansas State Department of Education

Sex Crimes Summary Report, Kansas Department of Corrections

988 Coordinating Council Report

2023 Kansas Water Pollution Control Report, Kansas Department of Health and Environment

2023 Kansas Public Water Supply Loan Fund Report, Kansas Department of Health and Environment

2023 Solid Waste Management Fund Report, Kansas Department of Health and Environment

2023 Household Hazardous Waste Report, Kansas Department of Health and Environment

2023 Storage Tanks Report, Kansas Department of Health and Environment

SFY 2023 Report on Area Agencies on Aging, Kansas Department for Aging and Disability Services

Targeted Employment Tax Credit 2023 Annual Report

From the Office of Governor Laura Kelly:

Executive Orders 23-02 through 23-05

Executive Directives 23-570 through 23-575

In compliance with 2023 **H Sub SB 113**, Secretary of the Senate Corey Carnahan and Chief Clerk of the House Susan Kannarr submitted a memorandum to the Office of the

Senate President and Office of the Speaker of the House regarding the disposal of school buildings. The following notices were received during the 2023 Interim:

USD 257 (Iola, Kansas); USD 259 (Wichita, Kansas); USD 268 (Cheney, Kansas); USD 329 (Alma, Kansas); USD 350 (St. John, Kansas); USD 428 (Great Bend, Kansas); and ANW Special Education Cooperative Interlocal 603 (Chanute, Kansas)

Please find copies of the information received from the school districts enclosed.

ORDER SETTING COMPENSATION FOR MEMBERS OF THE KANSAS LEGISLATURE

Pursuant to the authority granted by 2023 Senate Bill No. 229, the Legislative Compensation Commission sets the compensation and salary as follows for members of the Kansas Legislature commencing on the first day of the legislative session in January of 2025:

Base salary. The base salary for members of the Legislature shall be \$43,000 per year. The base salary shall be paid in lieu of amounts set pursuant to K.S.A. 46-137a(a) and (c), and amounts set under those provisions shall be discontinued.

Expenses. In addition to the base salary, members of the Legislature shall receive subsistence allowance as described in K.S.A. 46-137a(b) and allowance for mileage as described in K.S.A. 46-137a(d), in amounts determined pursuant to current law.

Pay period. Members of the Legislature shall be paid according to the following schedule:

- During the first 30 calendar days of the legislative session, 7.75% of total annual compensation.
- During the subsequent four months, 13.07% of total annual compensation per month.
- During the subsequent seven months, 5.71% of total annual compensation per month.

Salary indexing. Beginning on the first day of the legislative session in January of 2026 and each year thereafter, the base salary shall be adjusted each year to match the three-year average of the percent change in wages for all Kansas employees as reflected by the U.S. Bureau of Labor Statistics percent change in “Kansas All Employees Average Annual Wage” for the previous three full calendar years of available data.

Special sessions and interim meetings. In addition to the base salary, members of the Legislature shall be compensated for special sessions and approved interim committee meetings at a rate of \$172 per day. This amount shall be adjusted annually according to the salary indexing directive above.

Additional leadership salaries. In addition to the base salary, members of the Legislature holding specified positions shall receive the following amounts:

- President of the Senate and Speaker of the House of Representatives, an additional 64% of the base salary.
- Vice President of the Senate, Speaker Pro Tem of the House of Representatives, Assistant Majority Leaders of the Senate and House of Representatives and Assistant Minority Leaders of the Senate and House of Representatives, an additional 33% of

the base salary.

- Majority and Minority Leaders of the Senate and House of Representatives, an additional 58% of the base salary.
- Chairpersons of the Senate Committee on Ways and Means and the House Committee on Appropriations, an additional 50% of the base salary.

Approved by action of the Legislative Compensation Commission on October _____, 2023.

Mark Hutton, Chairperson

MESSAGES FROM THE HOUSE

Announcing adoption of **HR 6028**, a resolution relating to the organization of the 2024 House of Representatives and selection of the following officers:

Dan Hawkins, Speaker of the House
 Blake Carpenter, Speaker Pro Tem
 Chris Croft, Majority Leader
 Vic Miller, Minority Leader
 Susan Kannarr, Chief Clerk
 Foster Chisholm, Sgt. At Arms

and awaits the pleasure of the Senate.

Announcing adoption of **HCR 5018**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2024 session of the Legislature is duly organized and ready to receive communication. The Secretary of the Senate and Chief Clerk of the House were appointed to notify the Governor.

Announcing adoption of **HCR 5019**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor and for the purpose of hearing a message from the Supreme Court.

The following escorts are appointed for the State of the State:

To escort the Governor: Representatives Will Carpenter, Essex and Meyer
 To escort the Lt. Governor: Representatives Ellis, Pickert and Featherston
 To escort the Supreme Court: Representatives Humphries, Maughan and Osman
 To escort the Senate: Representatives Owens, Clifford and Hoye
 For the State of the Judiciary
 To escort the Supreme Court: Representatives Titus, Lewis and Vaughn
 To escort the Senate: Representatives Blew, Thomas and Schlingensiepen

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HCR 5018, A CONCURRENT RESOLUTION informing the Governor that the two houses of the Legislature are duly organized and ready to receive communications, was introduced and read by title.

HCR 5019, A CONCURRENT RESOLUTION providing for joint sessions of the Senate and the House of Representatives for the purpose of hearing messages from the Governor and the Supreme Court, was introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

HCR 5018, A CONCURRENT RESOLUTION informing the Governor that the two houses of the Legislature are duly organized and ready to receive communications, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5018** was adopted by voice vote.

HCR 5019, A CONCURRENT RESOLUTION providing for joint sessions of the Senate and the House of Representatives for the purpose of hearing messages from the Governor and the Supreme Court, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5019** was adopted by voice vote.

The President appointed following escorts for the State of the State:

To escort the Governor: Senators Bowers and Reddi

To escort the Lt. Governor: Senators Baumgardner and Pittman

To escort the Supreme Court: Senators Warren and Corson

The President appointed following escorts for the State of the Judiciary:

To escort the Supreme Court: Senators Warren and Haley

On motion of Senator Alley, the Senate adjourned pro forma until 10:30 a.m., Tuesday, January 9, 2024.

Journal of the Senate

SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 9, 2024, 10:30 a.m.

The Senate was called to order pro forma by President Ty Masterson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolutions were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 331**.

Assessment and Taxation: **SB 327, SB 332; SCR 1613**.

Commerce: **SB 329**.

Federal and State Affairs: **SB 328; SCR 1614**.

Ways and Means: **SB 330**.

REFERENCE OF SENATE RESOLUTIONS

The following resolution was referred to Committee as indicated:

Organization, Calendar and Rules: **SR 1730**.

CHANGE OF REFERENCE

The President withdrew **SB 30, SB 41, SB 54, SB 60, SB 80, SB 81, SB 94, SB 97, SB 126, SB 128, SB 138, SB 263, SB 311, SB 313; S Sub HB 2201** from the Calendar under the heading of **General Orders**, and rereferred the bills to the Committee on **Assessment and Taxation**.

The President withdrew **SB 303** from the Calendar under the heading of **General Orders**, and rereferred the bill to the Committee on **Federal and State Affairs**.

The President withdrew **HB 2133, HB 2198** from the Calendar under the heading of **General Orders**, and rereferred the bills to the Committee on **Financial Institutions and Insurance**.

The President withdrew **HB 2083** from the Calendar under the heading of **General Orders**, and rereferred the bill to the Committee on **Local Government**.

The President withdrew **HB 2260** from the Calendar under the heading of **General Orders**, and rereferred the bill to the Committee on **Public Health and Welfare**.

The President withdrew **SB 166** from the Calendar under the heading of **General Orders**, and rereferred the bill to the Committee on **Utilities**.

The President withdrew **SB 163, SB 172** from the Calendar under the heading of **General Orders**, and rereferred the bills to the Committee on **Ways and Means**.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, January 10, 2024.

Journal of the Senate

THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 10, 2024, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Knowing That God Is With Us!
Psalm 33:12, Exodus 33:15,22-23

Lord, You have called us to personify righteousness; to exemplify it openly and widely, even while facing contrariness. You've blessed us to have influence with the purpose of promoting an improved, more significant and substantial way of life.

In Psalm 33:12, You confirm that the nation or the people that stick with You will be blessed prosperous and flourishing. Lord, as we are confronted with the trials and challenges involved in serving Your people, give us the confidence that You gave Your servant-leader Moses.

In Exodus 33:15, realizing the gravity of the task he was facing, he declared that he would not tackle it alone. He needed Your assurance that You would go with him. In a like manner, Lord, as we tackle the concerns of Your people, we need the promise of Your presence. We need the confidence of knowing that You're with us, even when it doesn't look like it. Lord, when all is said and done, let the words be uttered that God really was with us.

Thank You for blessing us with the evidence of Your presence. In the Name of our Emmanuel. Amen

The Pledge of Allegiance was led by Vice President Wilborn.

MESSAGES FROM THE GOVERNOR

The following appointments made by the Governor and submitted to the Senate for confirmation were introduced and their appointment letters read:

Andrew French, Commissioner, Kansas Corporation Commission (submitted: September 6, 2023)

Jonathan Rolph, Member, Kansas Board of Regents (submitted: June 23, 2023)

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

FY 2024 IDD Crisis Stabilization Report, Kansas Department for Aging and

Disabilities Services

988 Secretary's Report to the 2024 Legislature, Kansas Department for Aging and Disabilities

SPTP Report to Governor and Legislature for 2024, Kansas Department for Aging and Disability Services

FY 2023 ROZ Annual Report, Kansas Department of Commerce

FY 2023 PEAK Annual Report, Kansas Department of Commerce

2023 APEX Annual Report, Kansas Department of Commerce

FY 2023 JCF Annual Report, Kansas Department of Commerce

2023 Annual Apprenticeship Annual Report, Kansas Department of Commerce

2023 Annual Report of the Office of the State Treasurer

Concealed Carry Handgun Licenses Statistical Report, Office of the Attorney General

Capital Improvement State Aid (US Bond Elections), Kansas Department of Education

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew the appointment of Mark Engholm from the Calendar under the heading of **Consideration of Appointments** and referred the appointment to the Committee on **Federal and State Affairs**.

Under the authority of the President, the Vice President withdrew **HB 2446** from the Committee on **Commerce**, and referred the bill to the Committee on **Federal and State Affairs**.

CHANGE OF CONFERENCE

Senators Tyson, Peck, and Holland are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **HB 2284**.

STRICKEN FROM THE CALENDAR

SB 82, SB 152, SB 203, SB 238, SB 295; HCR 5013 were stricken from the calendar.

REPORTS OF STANDING COMMITTEES

Your Committee on **Confirmation Oversight** begs leave to submit the following report: The following appointments were referred to and considered by the committee, and your committee recommends that the Senate approve and consent to such appointments:

By the Governor:

Secretary, Department of Transportation: K.S.A 75-5001

Calvin Reed, to serve at the pleasure of the Governor

Member, Kansas Development Finance Authority: K.S.A. 74-8903

Alan Deines, to serve a term expiring on January 15, 2026

Jon Small, to serve a term expiring on January 15, 2027

Member, Employment Security Board of Review: K.S.A. 44-709

Dawn McClure, to serve a term expiring on March 15, 2026

Pamela Pierce, to serve a term expiring on March 15, 2027

Superintendent, Kansas Highway Patrol: K.S.A. 74-2113
Erik Smith, to serve at the pleasure of the Governor

Brigadier General, Kansas National Guard: K.S.A. 2023 Supp. 48-208
Col. Nick Jaskolski, to serve at the pleasure of the Governor

Member, Kansas Racing and Gaming Commission: K.S.A. 74-8803
Mike Fleming, to serve a term expiring on January 15, 2027
Larry Turnquist, to serve a term expiring on January 15, 2027

Member, Kansas Lottery Commission: K.S.A. 74-8709
Catherine Moyer, to serve a term expiring on March 15, 2027
Vicki Ryan, to serve a term expiring on March 15, 2027
Ed Trimmer, to serve a term expiring on March 15, 2027

Member, Public Employee Relations Board: K.S.A. 75-4323
Joni Franklin, to serve a term expiring on March 15, 2027
Keeley Schneider, to serve a term expiring on March 15, 2027

Member, Kansas Public Employees Retirement System Board of Trustees: K.S.A. 74-4905
Emily Bowersock-Hill, to serve a term expiring on January 15, 2027
Brad Stratton, to serve a term expiring on January 15, 2027

State Fire Marshall, Office of State Fire Marshall: K.S.A. 75-1510
Mark Engholm, to serve at the pleasure of the Governor

Member, Pooled Money Investment Board: K.S.A. 75-4221a
Craig Heideman, to serve a term expiring on March 15, 2026
Patty Becker, to serve a term expiring on March 15, 2028

Member, State Banking Board: K.S.A. 74-3004
Justin Nichols, to serve a term expiring on March 15, 2026

Member, State Board of Indigents' Defense Services: K.S.A. 22-4519
Michelle Ewert, to serve a term expiring on January 15, 2026

Member, State Board of Regents: K.S.A. 74-3202a
Alysia Johnston, to serve a term expiring on June 30, 2027
Neelima Parasker, to serve a term expiring on June 30, 2027

Commissioner, State Corporation Commission: K.S.A. 74-601
Ann Keuther, to serve a term expiring on March 15, 2027

Member, University of Kansas Hospital Authority: K.S.A. 76-3304
Dr. Romano Delcore, to serve a term expiring on March 15, 2026
Dr. Elizabeth Henderson King, to serve a term expiring on March 15, 2026
Kevin Lockett, to serve a term expiring on March 15, 2027
Robba Moran, to serve a term expiring on March 15, 2026

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 11, 2024.

Journal of the Senate

FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 11, 2024, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 38 senators present.
Senators Doll and Steffen were excused
Invocation by Reverend Cecil T. Washington:

Our Only True Source!
Exodus 20:1-3,5; Exodus 34:14

Heavenly Father, before I ask You to bless us, I have to acknowledge Your holiness. You desire that we come to You in humility. And too often, in our humanity, we don't acknowledge Your Divinity.

Yet there are times, when we have to acknowledge that You are our God, with a capital G. And none of the little small g gods are worthy of the honor, loyalty and devotion due to You. You are our only true source for purpose, hope and optimism.

Your Ten Commandments in Exodus, chapter 20, begin in verses 1-3, with the requirement to honor You in the vertical before honoring anything or anybody else. Lord, You make it clear in vs 5, and in Exodus 34:14, that You are jealous of us and in Your jealousy You don't want anything or anybody to come before You or to displace You in our affections.

So, with renewed acknowledgment of our dependance on You, I'm asking You Lord to bless us, all of us. Since You are the real source of purpose and meaning in life, give us Your wisdom-to know Your will; Your guidance-in how to achieve it and Your empowerment for strength to accomplish it. Then in closing this prayer, Lord, I humbly ask that everyone under the sound of my voice receive a special touch of Your loving grace and mercy. I ask this in the precious Name of Jesus, Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

POINT OF PERSONAL PRIVILEGE

Senator Haley rose on a Point of Personal Privilege to deliver the following remarks on the Rev. Dr. Martin Luther King, Jr. holiday: Various value and core beliefs define us; each of us as a person...and, assumedly, much in what we are, whom we have become and perhaps known to be, as leaders in our communities and in general society. You know what I mean. Everyone knows someone that when you first see them or pick up the phone and hear their voice, you already pretty much know what they are going to profess because you've heard it, or seen it, from them all so much before. Well for those

of you who may have heard this annual Legislative exhortation from me (especially the now Senator from Baxter Springs who, as then House Speaker, allowed my very first Personal Privilege on the topic THIRTY Sessions ago having no idea what was going to come out of my mouth), I hasten to underscore the obvious yet, slow a bit to plead a freshness in the intent and it's necessity. See this year, 2024, an election year, will be the last time some of us will sit in these hallowed seats and reflect on the long holiday weekend ahead. As I've noted before, so often in our country the true meaning of a holiday is lost; the Spirit of a celebration succumbs to being just another day "off" from work or school or other daily routine. As an acolyte of the struggles for inclusion based on content of character and not color of skin, it's my continuing plea to each of you, my Honorable colleagues, to be ambassadors for a few days at least to this idyllic, uniquely American (our multi-ethnicity; multi-faith, etc. "melting pot" or at LEAST "stir fry" of a country) Holiday. You knew when you saw me stand that your colleague David Haley was going to seek your favor to share my (and my father, former Senator George Haley's) Morehouse College brother's life's message, known now as the Martin Luther King Jr. Holiday celebrated on or around his January 15th birthday, to focus on what Dr. King said "Human progress is neither automatic nor inevitable. And every step towards the goal of justice requires sacrifice, suffering and struggle. It calls for the tireless, passionate concern of dedicated individuals." Indeed, the moral arc of the Universe bends towards Justice. And I submit, gentle colleagues, that Justice in a truly great, diverse State must somehow encompass inclusion and, ultimately, acceptance. This holiday is not a black holiday or a white holiday or a brown holiday or a yellow holiday or a red holiday (and I have actually bemoaned that some have swayed it and even fashioned it to seem as if it should be ... it is NOT) it IS a UNITED all-racial, all creed, all religion AMERICAN holiday. It doesn't "belong" to my people or your people or those people or that people, look at ourselves; the legend of the many various backgrounds that fought the battles of equal access and inclusion for all Americans belongs to us ALL. And I pray you, gentle leaders, will charge that to your heads and to your hearts and share the meaning to those you love and those you represent. I implore each of US, not just as pillars from within our individual Senate districts but uniting all within our Kansas communities to use the true meaning of this holiday as not just a day "off" but a day to live out the true meaning of an inspirational and decidedly unique American Holiday. As I have urged so often before from this seat of the MLK Holiday, often to unhearing ears or too hardened, non-receptive hearts, this concept, this often diminishing but societally civil reality, this tapestry of a strong, diverse Country is not the sole province of my political party or of yours. This celebration, this Spirit doesn't belong to my religion or to your religion, to my community or to yours. It isn't creed, or racial or economically based. No, Mister President. The Martin Luther King, Jr. Holiday belongs to us ALL. To the beauty of the "stir-fry" blend when combined produces our unique (though yet still somewhat dysfunctional, like any, family) AMERICAN culture! Please have a safe, reverent and evocative, King Holiday.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 333, AN ACT concerning the state use law; removing the expiration provision for the state use law committee; amending K.S.A. 75-3322c and repealing the existing

section, by Committee on Federal and State Affairs.

SB 334, AN ACT Designating the Abilene & Smoky Valley Railroad as the official state heritage railroad, by Committee on Transportation.

SB 335, AN ACT concerning traffic regulations; relating to unlawful passing of stationary authorized emergency vehicle; increasing penalties for certain violations; creating a crime for injuring or causing death of certain authorized emergency vehicle operators and providing a penalty therefor; amending K.S.A. 8-1520a, 8-2116 and 8-2118 and repealing the existing sections, by Committee on Transportation.

SB 336, AN ACT concerning health and environment; relating to underground storage tanks; removing the requirement for underground storage tank operating permits to be obtained annually; amending K.S.A. 65-34,135 and repealing the existing section, by Committee on Agriculture and Natural Resources.

SB 337, AN ACT designating the Atchison, Topeka and Santa Fe #3415 as the official state steam locomotive, by Committee on Transportation.

SB 338, AN ACT concerning insurance; relating to group-funded liability and group-funded workers compensation pools; changing certain reporting requirements; amending K.S.A. 12-2620, 44-584 and 44-590 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 339, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2023 Supp. 40-2c01 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 340, AN ACT concerning insurance; relating to insurance laws and enforcement thereof; removing automobile club from the definition of person; amending K.S.A. 2023 Supp. 40-2,125 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 341, AN ACT concerning drivers' licenses; authorizing certain individuals with revoked licenses to be eligible for restricted driving privileges; permitting individuals with restricted driving privileges to drive to and from dropping off or picking up children from school or child care; amending K.S.A. 8-286 and 8-2110 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 342, AN ACT concerning motor vehicles; relating to license plates; providing for the Sedgwick county zoo distinctive license plate, by Committee on Federal and State Affairs.

REFERENCE OF APPOINTMENTS

The following appointments were referred to committees as indicated:

Education: **Jonathan Rolph**, Member, Kansas Board of Regents.

Utilities: **Andrew French**, Commissioner, Kansas Corporation Commission.

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Kansas Training Information Program report, Kansas Board of Regents

KAN-ED Fund Annual Report, Kansas Board of Regents

Qualified Admissions Annual Report, Kansas Board of Regents

Disposition of Surplus Property Report, Kansas Board of Regents

Kansas State School for the Blind Inspection, Kansas Department for Children and Families

State Inspection of Children's Institutions, Kansas Department for Children and Families

Pregnancy Maintenance Initiative and Diabetes Report, Kansas Department of Health and Environment

Quality Care Improvement Panel Annual Report, Kansas Department for Aging and Disability Services

MESSAGES FROM THE HOUSE

The House announced the appointment of Representatives, Smith, A., Bergkamp and Sawyer to replace Representatives Sutton, Penn and Neighbor as conferees on **HB 2284**.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SR 1728, SR 1729 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 11, 2024.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., January 12, 2024.

Journal of the Senate

FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 12, 2024, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 343, AN ACT concerning elections; relating to advance voting ballots; prohibiting the mailing of applications therefor except by a county election official and only upon the request of the voter; amending K.S.A. 2023 Supp. 25-1122 and repealing the existing section, by Committee on Federal and State Affairs.

SB 344, AN ACT concerning elections; relating to advance voting ballots; requiring voter verification of identity when transmitting such ballots to the county election office; amending K.S.A. 25-1121 and 25-1123 and K.S.A. 2023 Supp. 25-1124 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 345, AN ACT concerning financial institutions; enacting the commercial financing disclosure act; requiring the disclosure of certain commercial financing product transaction information; providing for civil penalties; authorizing enforcement of such act by the attorney general, by Committee on Federal and State Affairs.

SB 346, AN ACT concerning planning and zoning; relating to proposing amendments to city or county zoning regulations; restricting who can propose rezoning amendments; amending K.S.A. 12-757 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 336**.

Commerce: **SB 333**.

Financial Institutions and Insurance: **SB 338**, **SB 339**, **SB 340**.

Judiciary: **SB 341**.

Transportation: **SB 334**, **SB 335**, **SB 337**, **SB 342**.

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Annual Home Loan Guarantee and State Housing Trust Fund Report, Kansas Housing Resources Corporation

Health Care Commission Annual Report, Kansas Department of Administration

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 8 through January 12, 2024:

Senator Billinger: congratulating Mariella Dreiling on receiving the Girl Scout Gold Award;

Senator Bowers: celebrating Jean Harber's 103rd Birthday, celebrating Vickie Roberts' 100th Birthday, congratulating Emily Hansen on being named the 2023 Kansas Distinguished Young Woman of the Year; and

Senator Pittman: commending the Leavenworth County NAACP for their efforts in prioritizing and organizing events locally on MLK Day.

On motion of Senator Kloos, the Senate adjourned until 2:30 p.m., Tuesday, January 16, 2024.

Journal of the Senate

SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 16, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
Invocation by Reverend Cecil T. Washington:

To Hear "Well done, good and faithful servant..."
Matthew 25:21

Heavenly Father, we thank You today that we were blessed yesterday, not only with another day off but with the opportunity to use that day remembering and honoring Dr. Martin Luther King Jr's life and legacy. And Lord, although his life was cut short by evil, the impact of his life was not. Your influence in his life empowers his legacy to live on. He exhibited for us a life of sacrifice. He showed us what it means to suffer or even be martyred for a cause.

Lord, he is quoted as saying, "if you have never found something so dear and precious that you would die for it, then you aren't fit to live." He said, "You may be 38 years old as I am, and some great opportunity stands before you calling upon you to stand up for some great principle, some great issue, or cause and you refuse because you are afraid; you refuse because you want to live longer, or are afraid you'll lose your job, or afraid you'll be criticized or lose your popularity or that somebody will stab you, shoot you or bomb your house, so you refuse to take the stand. Well, you may go on and live until you are 90, but you're just as dead at 38, as you would be at 90!

And the cessation of breathing in your life is but the belated announcement of an earlier death of your spirit. You died when you refused to stand up for right, you died when you refused to stand up for truth, and when you refused to stand up for justice." z

So, Lord, let me close thanking You for giving us the day off, but asking that love, grace, mercy and justice take no days off. Impress, inspire and empower us to live life sacrificially not only, in the example of MLK, Jr., but in the example of Jesus, the One, MLK Jr. chose to follow. So, at the end of our lives, we can hear You say those Words of Matthew 25:21, "Well done, thou good and faithful servant...Come and join Me in glory." 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 347, AN ACT concerning wildlife and parks; relating to the wildlife and parks commission; requiring senate confirmation of appointees thereto; amending K.S.A.

2023 Supp. 32-805 and repealing the existing section, by Committee on Agriculture and Natural Resources.

SB 348, AN ACT concerning the Kansas children's cabinet; relating to the position of executive director thereof; requiring that appointments to such position be subject to senate confirmation; amending K.S.A. 38-1901 and repealing the existing section, by Committee on Ways and Means.

SB 349, AN ACT concerning the passenger rail service program; establishing the intercity passenger rail service program; making transfers annually into the passenger rail service revolving fund; amending K.S.A. 75-5089 and repealing the existing section, by Committee on Ways and Means.

SB 350, AN ACT concerning the Kansas fights addiction act; adding for-profit private entity to the definition of "qualified applicant"; authorizing members of the Kansas fights addiction grant review board to be paid subsistence allowances, mileage and other expenses when attending meetings of the board after January 8, 2024; amending K.S.A. 2023 Supp. 75-776 and 75-778 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 343**, **SB 344**.

Financial Institutions and Insurance: **SB 345**.

Local Government: **SB 346**.

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Report to the Legislature on HB 2021, Kansas Department of Corrections

ELTP Report on Driver Education Report 2021-2021 through 2023-2024, Kansas Department of Transportation

EMS Board Annual Report, Kansas Board of EMS

Kansas Water Authority Annual Report, Kansas Water Office

Public Defender Staffing Report, Kansas State Board of Indigents' Defense Services

CHANGE OF CONFERENCE

Senators Tyson, Peck and Holland are appointed to replace Senators Longbine, Fagg and Holscher as members of the conference committee on **SB 15**.

On motion of Senator Alley, the Senate adjourned until 10:30 a.m., Wednesday, January 17, 2024.

Journal of the Senate

SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 17, 2024, 10:30 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 37 senators present.
Senators Doll, Haley and O'Shea were excused.
Invocation by Reverend Cecil T. Washington:

Love Is What The World Needs
Mark 12:28-33; Matthew 22:40, 25.21

Heavenly Father, in Mark 12:28-33 someone considered to be an expert in Your law, asked the Lord, which commandment is the most important of them all? The answer for then and now is we only have one God, so, "Love the Lord your God with all your heart, with all your soul, with all your mind and with all your strength."

The second most important commandment is this: "Love your neighbor as you love yourself! No other commandment is greater than these." Matthew 22:40 adds to the importance of this, saying, "All the Law and the Prophets, all of Your Old Testament directives hang on these two Commandments."

So, in the shadow of MLK, Jr's life and legacy, help us to faithfully love You, and in conjunction with that love one another, not just in word, but in deed. Let the laws that spring from these halls reflect love for our neighbors. Even when our neighbors oppose us or we don't like what they stand for. Help us love them, like You love us, even when we're unlovely.

At the end of our lives, we want to hear You say those Matthew 25:21 words "Well done, thou good and faithful servant...Come and join Me In glory."

Lord, I pray this in the precious Name of Jesus. 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 351, AN ACT establishing requirements for school safety and security plans and cardiac emergency response plans; creating the school safety and security grant fund and the school cardiac emergency response grant fund, by Committee on Education.

SB 352, AN ACT concerning health and healthcare; enacting the John D. Springer patient's bill of rights; requiring hospitals to allow in-person visitation in certain circumstances; requiring hospitals to adopt visitation policies and procedures; creating a civil cause of action for violation of such rights, by Committee on Public Health and

Welfare.

SB 353, AN ACT concerning gender identity medical care; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service; amending K.S.A. 2023 Supp. 65-2836 and repealing the existing section, by Committee on Public Health and Welfare.

SB 354, AN ACT concerning insurance; relating to the healthcare provider insurance availability act; designating certain facilities where elective abortions are performed as being ineligible to purchase professional liability insurance from the healthcare stabilization fund; requiring such facilities to maintain continuous professional liability coverage equivalent to that provided by the healthcare stabilization fund as a condition of licensure; amending K.S.A. 40-3401 and 40-3403a and repealing the existing sections, by Committee on Public Health and Welfare.

SB 355, AN ACT concerning health and healthcare; relating to health insurance coverage; expanding medical assistance eligibility; enacting the cutting healthcare costs for all Kansans act; directing the department of health and environment to study certain medicaid expansion topics; adding meeting days to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight to monitor implementation of expanded medical assistance eligibility; amending K.S.A. 39-7,160, 40-3213, 65-6207, 65-6210, 65-6211, 65-6212 and 65-6217 and K.S.A. 2023 Supp. 65-6208, 65-6209 and 65-6218 and repealing the existing sections, by Committee on Ways and Means.

SB 356, AN ACT concerning insurance; relating to examinations; requiring that insurance examiner per diem amounts and expenses, outside consulting and data processing fees and pro rata funding for examination equipment and software be reasonable; establishing a tiered fee structure for examinations of insurance companies and societies based on gross premiums; amending K.S.A. 40-223 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 357, AN ACT concerning roads and highways; designating a portion of United States highway 81 as the Merle Miller memorial highway; amending K.S.A. 68-1036 and repealing the existing section, by Committee on Transportation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 347**.

Education: **SB 348**.

Transportation: **SB 349**.

Ways and Means: **SB 350**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senators Erickson, Alley, Billinger, Blasi, Bowers, Claeys, Dietrich, McGinn, O'Shea, Pettey, Pittman, Shallenburger and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1731—

A RESOLUTION supporting the strengthening of Kansas' trade partnership with Ireland to create a more prosperous future for all.

WHEREAS, According to the U.S. Census Bureau, 11.3% of Kansas' population is of Irish ancestry, compared to the national average of 9.7%; and

WHEREAS, Irish immigrants in the United States helped form the cultural foundation of the nation; and

WHEREAS, The ties that bind Ireland and Kansas are deep and lasting; and

WHEREAS, Thanks to those close ties, both Kansas and Ireland have benefited from deep and extensive cultural and commercial exchanges; and

WHEREAS, Ireland currently ranks 38th on Kansas exports, illustrating a need to create a stronger trade partnership. Although the work may be difficult, it surely will be worthwhile; and

WHEREAS, It is in the best interest of Kansas and Ireland to support efforts to strengthen their relationship: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we support the strengthening of Kansas' trade partnership with Ireland to create a more prosperous future for all; and

Be it further resolved: That we recognize the deputy chairman of the Irish Senate, Mark Daly, for his efforts to promote trade with Kansas and his support of an Irish-Kansas trade commission; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Mark Daly, deputy chairman of the Irish Senate, and Senator Erickson.

On emergency motion of Senator Erickson **SR 1731** was adopted by voice vote.

MESSAGES FROM THE HOUSE

The House announced the appointment of Representatives Smith, A., Bergkamp and Sawyer to replace Representatives Sutton, Penn and Neighbor as conferees on **SB 15**.

The House adopts the Conference Committee report to agree to disagree on **HB 2284**, and has appointed Representatives Smith, A., Bergkamp and Sawyer as Second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2284** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

ADAM SMITH

BRIAN BERGKAMP

Conferees on part of House

On motion of Senator Tyson the Senate adopted the conference committee report on **HB 2284**, and requested a new conference be appointed.

The President appointed Senators Tyson, Peck and Holland as a second Conference Committee on the part of the Senate on **HB 2284**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2284** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 8 through 30; following line 30, by inserting:

"Section 1. K.S.A. 2023 Supp. 79-201x is hereby amended to read as follows: 79-201x. (a) For taxable year ~~2022~~ 2024, and all taxable years thereafter, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-5142, and amendments thereto: Property used for residential purposes to the extent of ~~\$40,000~~ \$100,000 of its appraised valuation.

(b) For taxable year ~~2023~~ 2025, and all taxable years thereafter, the dollar amount of the extent of appraised valuation that is exempt pursuant to subsection (a) shall be adjusted to reflect the average percentage change in statewide residential valuation of all residential real property for the preceding 10 years. Such average percentage change shall not be less than zero. The director of property valuation shall calculate the average percentage change for purposes of this annual adjustment and calculate the dollar amount of the extent of appraised valuation that is exempt pursuant to this section each year.

Sec. 2. K.S.A. 79-1107 is hereby amended to read as follows: 79-1107. (a) Every national banking association and state bank located or doing business within the state shall pay to the state for the privilege of doing business within the state a tax according to or measured by its net income for the next preceding taxable year to be computed as provided in this act. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

~~(a)~~(1) (A) For tax year 2024, the normal tax shall be an amount equal to ~~2¹/₄%~~ 2.25% of such net income; and

(B) for tax year 2025, and all tax years thereafter, the normal tax shall be an amount equal to 1.63% of such net income; and

~~(b)~~(2) the surtax shall be an amount equal to ~~2¹/₈%~~ 2.125% of such net income in excess of \$25,000.

(b) The tax levied shall be in lieu of ad valorem taxes which might otherwise be imposed by the state or political subdivisions thereof upon shares of capital stock or the intangible assets of national banking associations and state banks.

Sec. 3. K.S.A. 79-1108 is hereby amended to read as follows: 79-1108. (a) Every trust company and savings and loan association located or doing business within the state shall pay to the state for the privilege of doing business within the state a tax according to or measured by its net income for the next preceding taxable year to be computed as provided in this act. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

~~(a)~~(1) (A) For tax year 2024, the normal tax on every trust company and savings and loan association shall be an amount equal to ~~2¹/₄%~~ 2.25% of such net income; and

(B) for tax year 2025, and all tax years thereafter, the normal tax on every trust company and savings and loan association shall be an amount equal to 1.61% of such net income; and

(b)(2) the surtax on every trust company and savings and loan association shall be an amount equal to ~~2.4%~~ 2.25% of such net income in excess of \$25,000.

(b) The tax levied shall be in lieu of ad valorem taxes which might otherwise be imposed by the state or political subdivision thereof upon shares of capital stock or other intangible assets of trust companies and savings and loan associations.

Sec. 4. K.S.A. 2023 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000.....	\$2,925 plus 6.45% of excess over \$60,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000.....	\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over \$30,000

(D) For tax years 2015 and 2016:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.6% of excess over \$30,000

(E) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.9% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$870 plus 4.9% of excess over \$30,000
Over \$60,000.....	\$2,340 plus 5.2% of excess over \$60,000

(F) For tax year years 2018, ~~and all tax years thereafter through 2024:~~

If the taxable income is:	The tax is:
Not over \$30,000.....	3.1% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$930 plus 5.25% of excess over \$30,000
Over \$60,000.....	\$2,505 plus 5.7% of excess over \$60,000

(2) *All other individuals.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$525 plus 6.25% of excess over \$15,000
Over \$30,000.....	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000.....	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over \$15,000

(D) For tax years 2015 and 2016:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.6% of excess over \$15,000

(E) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.9% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$435 plus 4.9% of excess over \$15,000
Over \$30,000.....	\$1,170 plus 5.2% of excess over \$30,000

(F) For tax year ~~years~~ 2018, and all tax years thereafter through 2024:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.1% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$465 plus 5.25% of excess over \$15,000
Over \$30,000.....	\$1,252.50 plus 5.7% of excess over \$30,000

(3) All resident individuals. For tax year 2025, and all tax years thereafter, for all individuals regardless of filing status, the tax shall be in an amount equal to 5.25% of the Kansas taxable income that is in excess of:

(A) \$12,300 for married individuals filing joint returns; and

(B) \$6,150 for all other individuals.

(b) *Nonresident individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows unless otherwise modified pursuant to K.S.A. 2023 Supp. 74-50,321, and amendments thereto:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) ~~hereof for tax years 2018 through 2024~~ and at the rate provided in subsection (a)(3) for tax year 2025, and all tax years thereafter.

(e) Notwithstanding the provisions of subsections (a) and (b): ~~(1) For tax years 2016 and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2), for tax year years 2018, and all tax years thereafter through 2024, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.~~

~~(f) No taxpayer shall be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.~~

Sec. 5. K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for

tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit

allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before

January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual

development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

~~(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less.~~

~~whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and (1) For all taxable years beginning after December 31, 2007, and ending before January 1, 2024, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and~~

(2) for all taxable years beginning after December 31, 2023, amounts received as benefits under the federal social security act that are included in federal adjusted gross income of a taxpayer.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or

sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 6. K.S.A. 2023 Supp. 79-32,119 is hereby amended to read as follows: 79-32,119. (a) The Kansas standard deduction of an individual, including a husband and wife who are either both residents or who file a joint return as if both were residents, shall be equal to the sum of the standard deduction amount allowed pursuant to this section, and the additional standard deduction amount allowed pursuant to this section for each such deduction allowable to such individual or to such husband and wife under the federal internal revenue code.

(b) For tax year 1998, and all tax years thereafter, the additional standard deduction amount shall be as follows: Single individual and head of household filing status, \$850; and married filing status, \$700.

(c) (1) For tax year 2013 through tax year 2020, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a

joint return as if both were residents, shall be as follows: Single individual filing status, \$3,000; married filing status, \$7,500; and head of household filing status, \$5,500.

(2) For tax year 2021, and all tax years thereafter, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,500; married filing status, \$8,000; and head of household filing status, \$6,000.

(3) In the case of tax year 2024, and all tax years thereafter, the amounts prescribed in paragraph (2) shall be increased by an amount equal to such amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

(d) For purposes of this section, the federal standard deduction allowable to a husband and wife filing separate Kansas income tax returns shall be determined on the basis that separate federal returns were filed, and the federal standard deduction of a husband and wife filing a joint Kansas income tax return shall be determined on the basis that a joint federal income tax return was filed.

Sec. 7. K.S.A. 2023 Supp. 79-32,121 is hereby amended to read as follows: 79-32,121. (a) For tax year 2024, and all tax years thereafter, an individual shall be allowed a Kansas exemption of ~~\$2,250~~ \$2,300 for each exemption for which such individual is entitled to a deduction for the taxable year for federal income tax purposes.

(b) In addition to the exemptions provided in subsection (a), any individual who has been honorably discharged from active service in any branch of the armed forces of the United States and who is certified by the United States department of veterans affairs or its successor to be in receipt of disability compensation at the 100% rate, if the disability is permanent and was sustained through military action or accident or resulted from disease contracted while in such active service, such individual shall be allowed an additional Kansas exemption ~~of \$2,250~~ in the amount prescribed in subsection (a) including any increases provided for pursuant to subsection (c) for tax year-2023 2024 and all tax years thereafter.

(c) In the case of tax year 2025, and all tax years thereafter, the amount prescribed in subsection (a) shall be increased by an amount equal to such amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

Sec. 8. K.S.A. 2023 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.5%. On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ April 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project.

Such tax shall be imposed upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds

of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock

securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" means the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" means only those enclosures within which individuals customarily

are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" means a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" means only those enclosures within which individuals customarily live;

(5) "utility structure" means transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" means straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section;

(w) all sales of charitable raffle tickets in accordance with K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(x) commencing on January 1, 2023, and thereafter, the state rate on the gross receipts from the sale of food and food ingredients shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

Sec. 9. K.S.A. 2023 Supp. 79-3603d is hereby amended to read as follows: 79-3603d. (a) There is hereby levied and there shall be collected and paid a tax upon the gross receipts from the sale of food and food ingredients. The rate of tax shall be as follows:

- (1) Commencing on January 1, 2023, at the rate of 4%;
- (2) commencing on January 1, 2024, at the rate of 2%; and

- (3) commencing on ~~January 1, 2025~~ April 1, 2024, and thereafter, at the rate of 0%.
- (b) The provisions of this section shall not apply to prepared food unless sold without eating utensils provided by the seller and described below:
 - (1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);
 - (2) (A) food sold in an unheated state by weight or volume as a single item; or
 - (B) only meat or seafood sold in an unheated state by weight or volume as a single item;
 - (3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or
 - (4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption.
- (c) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 10. K.S.A. 2023 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ April 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a

STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 11. K.S.A. 2023 Supp. 79-3703 is hereby amended to read as follows: 79-3703. (a) There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%.

(b) Commencing on January 1, 2023, and thereafter, the state rate on the amount equal to the consideration paid by the taxpayer from the sale of food and food ingredients as provided in K.S.A. 79-3603, and amendments thereto, shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

(c) On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ April 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A.

68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

(d) Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project.

(e) All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 12. K.S.A. 2023 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ April 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such

redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.";

Also on page 1, in line 31, by striking "40-1709 is" and inserting "79-1107 and 79-1108 and K.S.A. 2023 Supp. 79-201x, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the semicolon and inserting "taxation; relating to income tax; providing a 5.25% tax rate for individuals; eliminating the income limitation to receive the subtraction modification exempting social security benefits; increasing the Kansas standard deduction by a cost-of-living adjustment; increasing the Kansas personal exemption; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; concerning sales and compensating use tax; relating to sales of food and food ingredients; reducing the rate of tax imposed; modifying the percent credited to the state highway fund from revenue collected"; also in line 4, by striking "40-1709" and inserting "79-1107 and 79-1108 and K.S.A. 2023 Supp. 79-201x, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710"; in line 5, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

ADAM SMITH

BRIAN BERGKAMP

Conferees on part of House

Senator Tyson motioned the Senate adopt the Conference Committee Report on **HB 2284**. Senator Olson offered a substitute motion to not adopt, send the bill back to conference and appoint a new conference committee.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 11; Nays 24; Present and Passing 0; Absent or Not Voting 5.

Yeas: Corson, Faust-Goudeau, Francisco, Holscher, Olson, Pettey, Pittman, Pyle, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Peck, Petersen, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Doll, Haley, Holland, O'Shea, Ryckman.

The substitute motion failed.

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2284**.

On roll call, the vote was: Yeas 25; Nays 11; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Holscher, Olson, Pettey, Pittman, Pyle, Reddi, Sykes, Ware.

Absent or Not Voting: Doll, Haley, Holland, O'Shea.

The Conference Committee Report was adopted.

CHANGE OF CONFERENCE

Senator Corson is appointed to replace Senator Holland as a member of the conference committee on **SB 15**.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 18, 2024.

Journal of the Senate

EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 18, 2024, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 36 senators present.
Senators Doll, Holland, O'Shea and Steffen were excused.
The Vice President introduced Doug Burleigh, guest chaplain to deliver the invocation:

Dear Lord, in the words of the old hymn, "O God our help in ages past, our hope for years to come. Our shelter from the stormy blast and our eternal home." As we look across the world, we lift up those in harm's way in Ukraine and Gaza and we pray for peaceful solutions to these devastating conflicts. We pray, closer to home, for those in our state who are undergoing hardship from physical maladies, financial hardship, and grief from the recent loss of loved ones. We also pray for those suffering from the effects of the recent bitter cold weather.

We pray that our demeanor, in the midst of disagreement over a multitude of issues, would be honoring to You, Lord, who said, "Blessed are the peacemakers for they will be called the children of God."

As we seek to make decisions affecting the people of Kansas, help us to be good stewards of this great responsibility. And as far as our own personal integrity is lived out, may we remember the words of Jesus in the Sermon on the Mount, "let your yes be yes and your no be no. Anything other than that is from the evil one."

We ask for wisdom and guidance as we seek to engage in the people's work for the great state of Kansas. In the Name of Jesus we pray, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

POINT OF PERSONAL PRIVILEGE

Senator Ryckman rose on a Point of Personal Privilege and offered the following remarks: It is my honor and privilege to bring to the Senate's attention today an institution that provides a true beacon of hope and progress in our State: The University of Kansas Cancer Center. The Center has long been a symbol of excellence, demonstrating an unwavering commitment to eradicating the burdens of cancer within Kansas and beyond. Through tireless dedication, groundbreaking research, and compassionate patient care, they have become a leading force in the fight against one of the most formidable challenges of our time. Their work was recently recognized by the National Cancer Institute, which rewarded the KU Center with "comprehensive" status in 2022. With this award, they are now one of only 56 NCI-designated comprehensive

cancer centers in the country -- and the only one in our state and region. As the highest level of recognition awarded by NCI, this is the “gold standard” for cancer centers. This places KU in the top 1% of cancer centers across the country -- and means that Kansans will be cared for by the world’s leading experts with access to cutting-edge research and technologies. Simply put, this translates into saved lives, for patients treated at NCI-designated cancer centers have a 25% greater chance of survival. I am fortunate to be hosting in the VIP Gallery today not only the leadership from The University of Kansas Cancer Center but also three of their survivors and real-life success stories. The first (who is, regrettably, detained on the other side of the Capitol giving a presentation to the House Health and Human Services Committee, but definitely warrants introduction) is Dr. Roy Jensen, Vice Chancellor and Director of The University of Kansas Cancer Center, as well as Director of the Kansas Masonic Cancer Research Institute and CEO of the Masonic Cancer Alliance. Since joining the Center in 2004, Dr. Jensen has recruited a world-class leadership team and built a robust research program that made their “comprehensive” designation possible. Jeff Wright [Please stand] serves as the Senior Vice President of Cancer Services at The University of Kansas Health System. He is also the current Chairman of the Board of Ambassadors for the American Cancer Society. Cici Rojas [And I will ask you to please stand as well] is co-owner and President of Tico Productions and Tico Sports, a multicultural marketing firm in Mission, Kansas. She is also an actively engaged citizen, serving on the boards of multiple community organizations, including the YMCA. In 2017, Cici was diagnosed with Stage 4 Large B-cell Lymphoma. She underwent several chemotherapy treatments, including two (what are called) CAR-T treatments and a bone marrow transplant. Cici has been in remission since 2020! Darren McLaughlin serves as the Chief of Police for Merriam, Kansas, where he has been serving its citizens for 34 years. He and his wife, Mindy, are the proud parents of two children, Kyle and Grace. Darren was diagnosed in January of 2019 with Stage 4 Non-Hodgkin's Lymphoma. He received CAR-T therapy in June 2019 and has been cancer-free ever since! Fred Logan is Head of the Masonic Cancer Alliance Partners Advisory Board. In 2023, he received the first-ever Chancellor’s Award for Distinguished Service, in part for his work in support of The University of Kansas Cancer Center. He and our other four guests are here today with many others as part of “KU Cancer Center Day in the Statehouse.” Because my wife, Mary (also seated in the gallery), is herself a KU Cancer Center success story, I have an immense sense of personal gratitude for the blessing of the true miracles they perform, mindful, of course, that it is with a lot of help “from above.” Since ultimately all of us have friends or loved ones whose lives have been impacted by cancer in some way, please join me now in applause and appreciation for the amazing accomplishments and legacy of The University of Kansas Cancer Center.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 358, AN ACT concerning books or other media; prohibiting school districts and local libraries from prohibiting, banning or restricting books or other media unless certain requirements are met, by Committee on Federal and State Affairs.

SB 359, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Kansas City Chiefs license plate, by Senators Warren, Alley, Bowers,

Claeys, Corson, Dietrich, Fagg, Faust-Goudeau, Gossage, Kloos, Longbine, Masterson, Peck, Petersen, Pittman, Ryckman, Shallenburger, Thompson and Wilborn.

SB 360, AN ACT concerning tax-advantaged savings programs; allowing the taxpayer to elect the taxable year in which a subtraction modification for contributions to 529 qualified tuition accounts, ABLE accounts or first-time home buyer savings accounts would be applied; authorizing the state treasurer to appoint a 529 program advisory council; amending K.S.A. 75-644 and K.S.A. 2023 Supp. 79-32,117 and repealing the existing sections, by Committee on Education.

SB 361, AN ACT concerning motor vehicles; relating to violations of the uniform act regulating traffic on highways; increasing criminal penalties for a driver who leaves the scene of a vehicular accident when the accident results in the death of any person or more than one person, if the driver knew or reasonably should have known that such accident resulted in injury or death; amending K.S.A. 8-1602 and repealing the existing section, by Committee on Ways and Means.

SB 362, AN ACT repealing K.S.A. 19-26,120; relating to the expiration of the Sedgwick county urban area nuisance abatement act, by Committee on Local Government.

SB 363, AN ACT concerning barbers; relating to the examination and licensure thereof; creating a senior status license; providing for certain licensure fees; amending K.S.A. 65-1808, 65-1809, 65-1810, 65-1812, 65-1815, 65-1817, 65-1819, 65-1820a and 65-1825a and repealing the existing sections, by Committee on Local Government.

SB 364, AN ACT concerning civil actions; relating to limitations on actions; extending the time to file a claim for damages suffered as a result of childhood sexual abuse; reviving claims against any party for such damages that occurred on or after July 1, 1984; amending K.S.A. 2023 Supp. 60-523 and repealing the existing section, by Committee on Ways and Means.

SB 365, AN ACT concerning elections; relating to advance voting ballots; requiring the return of such ballots by 7:00 p.m. on the day of the election; amending K.S.A. 25-1132 and repealing the existing section, by Committee on Federal and State Affairs.

SB 366, AN ACT concerning elections; relating to advance voting ballots; requiring that county election officers receive a request for an application for an advance voting ballot prior to mailing such application to such voter; amending K.S.A. 2023 Supp. 25-1122 and repealing the existing section, by Committee on Federal and State Affairs.

SB 367, AN ACT concerning elections; relating to the transparency in revenues underwriting elections act; prohibiting the use of funds provided by the United States government for the conduct of elections or election-related activities unless approved by the legislature; amending K.S.A. 25-2436 and repealing the existing section, by Committee on Federal and State Affairs.

SB 368, AN ACT concerning elections; prohibiting the use of any form of ranked-choice voting methods in elections, by Committee on Federal and State Affairs.

SB 369, AN ACT concerning elections; relating to filings of declarations of intention to become a candidate, nomination petitions or certificates of nomination; requiring such filings for national, state, county, township and municipal office include the candidate's non-government issued email address; amending K.S.A. 25-205, 25-209, 25-304, 25-311, 25-2020 and 25-21a03 and K.S.A. 2023 Supp. 25-1903 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 370, AN ACT concerning national land designations; requiring legislative approval of any designation of a national heritage area or national historic trail in the state of Kansas or the inclusion of certain property within any such designation; prohibiting state funding of any national heritage area or national historic trail unless such funding is first approved by the legislature of the state of Kansas, by Committee on Federal and State Affairs.

SB 371, AN ACT concerning the Kansas silver alert plan; relating to public notice of certain missing persons; expanding such plan to include persons 18 years of age or older who have an intellectual disability; amending K.S.A. 75-754 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 351**.

Financial Institutions and Insurance: **SB 356**.

Public Health and Welfare: **SB 352, SB 353, SB 354**.

Transportation: **SB 357**.

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

2024 Annual Report, Kansas Department of Transportation

KBEMS Revolving and Assistance Fund (KRAF) Grant Program, Kansas Board of Emergency Medical Services

Performance and Financial Accountability Reports, Kansas State Department of Education

2024 School Safety and Security Information, Kansas State Department of Education

Disposition of Surplus Property Report, Kansas Board of Regents

Annual Report on Exceptions to the Minimum Admission Standards at State Universities, Kansas Board of Regents

KAN-ED Summary Report, Kansas Board of Regents

Kansas Training Information Program (K-TIP) Report, Kansas Board of Regents

MESSAGES FROM THE HOUSE

The House adopts the Conference Committee report on **HB 2284**.

The House announced the appointment of Representatives Tarwater, Mason and Probst to replace Representatives Smith, A., Bergkamp and Sawyer as conferees on **SB 15**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 336** be amended on page 1, in line 21, before "a" by inserting "or renew"; in line 28, after "K.S.A." by inserting "65-34,130 and"; also in line 28, by striking "is" and inserting "are";

Also on page 1, in the title, in line 4, after "section" by inserting "; also repealing K.S.A. 65-34,130"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, January 19, 2024.

Journal of the Senate

NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 19, 2024, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 360.**

Federal and State Affairs: **SB 358, SB 365, SB 366, SB 367, SB 368, SB 369, SB 370.**

Judiciary: **SB 361.**

Local Government: **SB 362.**

Public Health and Welfare: **SB 355, SB 363, SB 371.**

Transportation: **SB 359.**

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SR 1731 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 18, 2024.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 16 through January 19, 2024:

Senator Bowers: congratulating Andy Niemczyk on his induction into the Kansas Wrestling Coaches Association Hall of Fame, congratulating Sandra Wick on her recognition from K-State Research and Extension, congratulating Kathy Hageman on her induction into the Kansas Newspaper Hall of Fame, congratulating Sharon and Sarah Kessinger on their induction into the Kansas Newspaper Hall of Fame, congratulating Peter-John van der Linden on achieving the rank of Eagle Scout, congratulating Brenner Pilsel on achieving the rank of Eagle Scout, congratulating Ruben Steenkamp on achieving the rank of Eagle Scout, congratulating Bill Geneux on receiving the 2023 KSU-Salina McArthur Family Faculty Award, congratulating Jim Ball on receiving the KAPA Driver of the Year Award, congratulating the Buttenhoff Family on being named the 2023 Lincoln County Farm Family of the Year, congratulating Heather Betzold on receiving the Master County Clerk Award, congratulating Shella Thoman on receiving the Master County Clerk Award, congratulating Phyllis Oetting on receiving the 2023 KHHRA Professional of the Year, congratulating Sherri Jeffery on receiving the 2023 Esther McCombs Memorial Award of Excellence, congratulating Grandpa's Best on receiving a Department of Commerce

Business Award, congratulating the City of Washington EMS on receiving the Kansas EMS Association Volunteer Service of the Year Award, congratulating Down-Home Dental on receiving a Department of Commerce Business Award, congratulating Harley Schuster and North 40 Architecture on receiving a Department of Commerce, celebrating Geneva Jeardoe's 100th Birthday, congratulating Betty Berney on receiving the 2023 Merit for Lifetime Achievement in Writing, congratulating Abbi Porter on achieving the District and State FFA Star in Ag Placement; and

Senator Pittman: congratulating Eliza Resch on achieving the rank of Eagle Scout.

On motion of Senator Kloos, the Senate adjourned until 2:30 p.m., Monday, January 22, 2024.

Journal of the Senate

TENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 22, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 34 senators present.
Senators Baumgardner, Haley, Holland, Holscher, Pyle and Warren were excused.
Invocation by Reverend Cecil T. Washington:

Why Kansas?
Acts 17:26-28

Heavenly Father, the question I had in 1984 but didn't want to seem defiant in asking it was, "Why Topeka? Why Kansas?" And Lord, after being blessed to be here 40 years, I continue to see and understand why You said, "Go To Topeka!"

In Acts 17:26-28, Your Word says, from one man, You have made every nationality to live over the whole earth and You have determined our appointed time periods and the boundaries of where we would live. And You did this so that we would seek You, reach out for You and find that You're not far from any one of us, for it is in You that we live and move and have our being.

So, Lord, on Kansas Day, Your Word reminds us why You have us here. You brought me to Kansas, along with so many others, to enhance and even boost our relationship with You. And in blessing our obedience, we can be more of a blessing to those You are calling us to serve.

I thank You Lord, in Jesus Name, that in 1984 You gave me those three words, "Go To Topeka!" And it was so. 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 372, AN ACT concerning civil actions; enacting the civil liability for doxing act; prohibiting intentionally publishing another person's personally identifiable information without the consent of the person whose information is published under certain circumstances; authorizing a civil action for violations of the act to recover damages and obtain injunctive relief, by Committee on Federal and State Affairs.

SB 373, AN ACT concerning lobbying; prohibiting the use of public moneys for lobbying activities; exceptions; repealing K.S.A. 46-295 and 72-9935, by Committee on Federal and State Affairs.

SB 374, AN ACT concerning elections; relating to voter political party or voter affiliation; allowing a voter to declare or change such voter's affiliation the day of a primary election; amending K.S.A. 2023 Supp. 25-3301 and 25-3304 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 375, AN ACT concerning elections; relating to the crime of corrupt political advertising; prohibiting the use of generative artificial intelligence to create false representations of candidates in campaign media or of state officials; amending K.S.A. 25-2407 and 25-4156 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 376, AN ACT concerning income taxation; relating to credits; extending the time period for the single city port authority credit; amending K.S.A. 2023 Supp. 79-32,212 and repealing the existing section, by Committee on Assessment and Taxation.

SB 377, AN ACT concerning taxation; relating to property tax; increasing extent of exemption for residential property from statewide school levy; relating to privilege tax; decreasing the normal tax rates on banks, trust companies and savings and loan associations; relating to income tax; increasing the tax credit amount for household and dependent care expenses; eliminating the income limit to qualify for the subtraction modification for social security income; increasing the Kansas standard deduction; relating to sales and compensating use tax; providing a sales tax exemption for certain sales of school supplies, computers and clothing during an annual sales tax holiday; providing sales tax exemptions for children's diapers and feminine hygiene products; reducing the state rate of tax on sales of food and food ingredients; amending K.S.A. 79-1107, 79-1108 and 79-32,111c and K.S.A. 2023 Supp. 79-201x, 79-32,117, 79-32,119, 79-3603, 79-3603d, 79-3606, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Judiciary: **SB 364**

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Resolution to Dispose of a School District Building, Unified School District No. 413
2023 Annual Report, Kansas Office of Public Advocates, Office of the State Long-Term Care Ombudsman

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 303** be amended on page 1, following line 28, by inserting:

"(d) The provisions of this section shall not apply to taxable distributions from any retirement plan account that holds specie.";

On page 11, in line 5, after "thereto" by inserting ", except the sale of specie as a taxable distribution from any retirement plan account that holds specie"; and the bill be passed as amended.

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On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, January 23, 2024.

Journal of the Senate

ELEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 23, 2024, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 38 senators present.
Senators Holland and Thompson were excused.
Vice President Wilborn introduced guest chaplain, L.D. Holmes, to deliver the Invocation:

Dear Father; This is the day You have made; our desire is to rejoice and be glad in it! Thank You for the opportunity to serve the people of Kansas in this unique position in which we find ourselves. Indeed, You have blessed us that we might bless others.

We will most certainly engage in many conversations of substance and importance in the coming hours. Your Word teaches, "A gentle answer turns away wrath, but a harsh word stirs up anger."

Help us look for the way of gentleness in our debate and decision making. Remind us, if You will, that few good decisions are made out of an angry heart. We pray for our National leaders that they might exercise caution and wisdom as they tend to the business of our Nation. We pray for our women and men in uniform who are tasked with the defense of our Nation as well as our very way of life. Protect them with Your hand of justice and righteousness.

Bless our families today. May they be nourished at Your well of grace. In the Name of Jesus I pray, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 378, AN ACT concerning postsecondary education; relating to the state board of regents; making and concerning appropriations to the state board of regents for fiscal year 2025; providing grants to community colleges, technical colleges and the Washburn institute of technology for capital improvements of trade program buildings and facilities and for repairs and purchases of trade program educational equipment and fixtures; establishing the Kansas trade service scholarship act to provide scholarships to students who enroll in certain trade programs; creating the Kansas trade service scholarship fund, by Senator Olson.

SB 379, AN ACT concerning the Kansas probate code; providing a longer time for notice to creditors by publication when a petition for administration or probate of a will is filed; changing the process for transferring personal property by affidavit in small

estates; modifying time requirements for notice by publication related to sales at public auction; amending K.S.A. 59-709 and 59-2243 and K.S.A. 2023 Supp. 59-1507b and 59-2308 and repealing the existing sections, by Committee on Judiciary.

SB 380, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; clarifying a special sentencing rule applicable to violations of criminal discharge of a firearm when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm; amending K.S.A. 21-6804 and repealing the existing section, by Committee on Judiciary.

SB 381, AN ACT concerning coroners; relating to appointment in judicial districts; authorizing the board of county commissioners of any county that is not the most populous county in a multiple-county judicial district to appoint a coroner to serve as the district coroner for the county; amending K.S.A. 22a-226 and repealing the existing section, by Committee on Judiciary.

SB 382, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers and increasing expenditure limitations to the foregoing; funding of the fiscal year 2024 salary increase for certain state employees; transferring funds from the legislature employment security fund of the legislative coordinating council to the university of Kansas and Wichita state university health collaboration fund of the university of Kansas, the Wichita state university and university of Kansas health collaboration fund of Wichita state university and the state general fund; authorizing certain expenditures from the build Kansas matching grant fund, by Committee on Ways and Means.

SB 383, AN ACT concerning drainage districts; relating to the governance thereof; authorizing the board of directors of such districts to hold executive sessions in accordance with the open meetings act; amending K.S.A. 24-416 and repealing the existing section, by Committee on Local Government.

SB 384, AN ACT concerning health and healthcare; relating to emergency medical services; staffing of ambulances; permitting an ambulance to operate with one emergency medical service provider in rural cities and counties; amending K.S.A. 2023 Supp. 65-6135 and repealing the existing section, by Committee on Local Government.

SB 385, AN ACT concerning conventions under article V of the constitution of the United States; designating members of the senate as delegates thereto, by Senator Pyle.

SB 386, AN ACT concerning education; relating to the Kansas school equity and enhancement act; requiring school district enrollment to be determined using the current school year or preceding school year enrollment; requiring any school district that closed a school building in the preceding school year to use current school year enrollment; amending K.S.A. 2023 Supp. 72-5132 and repealing the existing section, by Committee on Education.

SB 387, AN ACT concerning education; relating to school districts; open enrollment; providing for continued enrollment of students who attend a school district of nonresidence; amending K.S.A. 2023 Supp. 72-3123 and repealing the existing section, by Committee on Education.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 376, SB 377.**

Federal and State Affairs: **SB 373, SB 374, SB 375.**

Judiciary: **SB 372.**

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Annual Report of the South Central Regional Psychiatric Hospital Advisory Panel, Kansas Department for Aging and Disability Services

Annual Hunters Feeding the Hungry report for calendar year 2023, Kansas Department of Wildlife and Parks

Annual Progress Report on the Completion of Recovery Plans for Threatened or Endangered Species in Kansas, Kansas Department of Wildlife and Parks

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, January 24, 2024.

Journal of the Senate

TWELFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 24, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 39 senators present.
Senator Holland was excused.
Invocation by Reverend Cecil T. Washington:

Never Stop Praying
1 Thessalonians 5:17; Acts 10:1-5, 34-35

Heavenly Father, in 1 Thessalonians 5:17 Your Word says we should never stop praying. Lord, I believe You're telling us that in everything, no matter what it is, we should always be in tune with You, never so busy or engaged as to miss specific guidance from You. Help us maintain an ongoing attitude of prayer where our spiritual antenna is always up and tuned in, ready to hear from You.

In Acts 10:2-5, Cornelius, a Roman military officer, had his Godly antenna up while the Apostle Peter, a Jew, was also tuned in to You; two different people representing contrary, divided cultures. But Lord, You desire that people endeavor to overcome their differences and come together. After it was clear that You wanted harmony, both Cornelius and Peter overcame their differences and Peter says, in Acts 10:34-35, "I see very clearly now that God shows no favoritism. In every nation He accepts those who revere Him and do what is right." Lord, in like manner, help us keep our ears tuned to Your frequency.

And, as we listen to You, guide us in looking beyond our differences, that we may be in a Godly alliance blessing You, then each other and blessing those we serve. I offer this prayer in the Name of the Tri-Unity, God the Father, God the Son and God the Holy Spirit, that we might practice loving one another. 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 388, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; increasing the amount of retirant compensation subject to the statutory employer contribution rate; amending K.S.A. 74-4937 and K.S.A. 2023 Supp. 74-4914 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 389, AN ACT concerning agriculture; relating to the farm animal and field crop and research facilities protection act; prohibiting entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas; providing penalties for violations therefor; removing the intent to destroy property; amending K.S.A. 47-1826 and 47-1827 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

SB 390, AN ACT concerning public health; relating to medical care; enacting the conscientious right to refuse act; prohibiting discrimination against individuals who refuse certain medical interventions and creating a civil cause of action against entities who discriminate based upon such medical care refusal; revoking the authority of the secretary of health and environment to order individuals to isolate or quarantine and impose penalties for violations thereof; repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c, by Committee on Public Health and Welfare.

SB 391, AN ACT concerning public health; relating to infectious or contagious diseases; changing the authority of the secretary of health and environment and local health officers; naming the constitutional right to health freedom act; revoking the authority of the secretary to order individuals to isolate or quarantine and impose penalties for violations thereof; amending K.S.A. 65-116g, 65-118, 65-119, 65-128, 65-129b and 65-129d and K.S.A. 2023 Supp. 65-101, 65-202 and 72-5180 and repealing the existing sections; also repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c, by Committee on Public Health and Welfare.

SB 392, AN ACT concerning the prescription monitoring program; relating to the attorney general; granting the medicaid inspector general access to the prescription monitoring program database without a warrant; replacing the member of the program advisory committee representing the Kansas bureau of investigation with a member nominated by the office of the attorney general; amending K.S.A. 65-1690 and K.S.A. 2023 Supp. 65-1685 and 65-1689 and repealing the existing sections, by Committee on Judiciary.

SB 393, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; requiring automated expungement of certain records; sealing such records from public view and limiting disclosure thereof; amending K.S.A. 21-6614 and repealing the existing section, by Committee on Judiciary.

SB 394, AN ACT concerning consumer protection; relating to internet content that is harmful to minors; requiring age verification for access to such content; providing for civil penalties for violations; establishing a civil cause of action for damages, attorney fees and costs, by Committee on Judiciary.

SB 395, AN ACT concerning the university of Kansas hospital authority; requiring prior approval by the legislature or the legislative coordinating council when the legislature is not in session, when purchasing, leasing, trading, exchanging or otherwise acquiring, constructing, repairing, remodeling or renovating any real property or facility outside of the state of Kansas; amending K.S.A. 76-3308 and repealing the existing section, by Committee on Ways and Means.

SB 396, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; reducing the required waiting period to return to work for a period beginning July 1, 2024, and ending July 1, 2029; amending K.S.A. 74-4937 and K.S.A. 2023 Supp. 74-4914 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 386, SB 387.**

Federal and State Affairs: **SB 385.**

Judiciary: **SB 379, SB 380, SB 381.**

Local Government: **SB 383, SB 384.**

Ways and Means: **SB 378, SB 382.**

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senators Baumgardner, Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1732—

A RESOLUTION congratulating and commending
the members of the 2024 Kansas Teacher of the Year team.

WHEREAS, The Kansas State Department of Education sponsors the Kansas Teacher of the Year program, which identifies, recognizes and utilizes representatives of excellent teaching in the elementary and secondary classrooms of the state; and

WHEREAS, The mission of the program is to build and utilize a network of exemplary teachers who are leaders in the improvement of schools, student performance and the teaching profession; and

WHEREAS, Two teachers – one elementary and one secondary – in each of the state's four United States congressional districts were selected as finalists for recognition as Kansas Teacher of the Year, with the recipient being chosen from among the eight finalists; and

WHEREAS, The Kansas Teacher of the Year is awarded with the Hubbard Foundation Kansas Teacher of the Year Ambassadorship, which enables the person selected to devote significant time during the second semester to activities supporting the mission of the program. The 2024 Kansas Teacher of the Year and finalists were honored at an awards banquet on September 23, 2023. All members received a cash award as well as mementos of the event; and

WHEREAS, The Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program, a project of the Council of Chief State School Officers, presented by Voya Financial; and

WHEREAS, The 2024 Kansas Teacher of the Year is Taylor Bussinger, Olathe USD 233; and the regional finalists are: Cheryl Delacruz, Topeka USD 501; Gretchen Elliott, Smoky Valley USD 400; Joanna Farmer, Wichita USD 259; Melissa Haney, Goddard USD 265; Erin Pittenger, Rock Creek USD 323; Michelle Tapko, Shawnee Mission USD 512; Fonda Telthorst, Piper Kansas City USD 203: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the members of the 2024 Kansas Teacher of the Year team; and

Be it further resolved: That the Secretary of the Senate shall send eight enrolled copies of this resolution to Senator Baumgardner.

On emergency motion of Senator Baumgardner **SR 1732** was adopted by voice vote.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

Kansas Prescription Drug Monitoring Program Report, Kansas Board of Pharmacy.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 249** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 249," as follows:

"Substitute for SENATE BILL NO. 249

By Committee on Federal and State Affairs

"AN ACT concerning the offices of the state treasurer, the commissioner of insurance and the lieutenant governor; relating to the filling of a vacancy in such offices; requiring appointment of a person of the same political party as the incumbent; requiring senate confirmation of such appointment; amending K.S.A. 25-101b, 40-106 and 75-127 and repealing the existing sections.";

And the substitute bill be passed.

Committee on **Judiciary** recommends **SB 190** be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 25, 2024.

Journal of the Senate

THIRTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 25, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 38 senators present.
Senators Holland and Steffen were excused.
Invocation by Reverend Cecil T. Washington:

Numbering Our Days
Genesis 1:14, Hebrews 9:27, Psalm 90:12

Heavenly Father, today is the 25th day of the new year, and just 54 days from now we'll embrace the blessings of Spring, then Summer, after that Fall and then Winter again. Lord, You've made it clear in Genesis 1:14, that these changes will continually follow one another day after day, month after month, year after year.

But Lord, keep us from being hypnotized, lulled into thinking, that this repeating cycle is how it will always be until the end of time. In the past, You ended everything for everybody by overcoming the earth with water. You said it would be by fire next time. You also said in Hebrews 9:27, that You have given all of us an appointment, an appointed time to meet with You...a time of accountability. Even though it's not on our calendar, the date and time is set by You.

And Lord, that's why the Psalmist said in 90:12, "teach us to number our days, teach us to realize the brevity of life, so that we may grow in wisdom".

So Lord, by Your Holy Spirit, awaken each of us from any complacency. Give us the wisdom that comes from You and guide us in making decisions that will bless Your people. Continually remind us Lord, that the people belong to You, not to us, and that our responsibility is to You more than anyone else.

Thank You Lord for the opportunity to serve and for Your ongoing grace and mercy. In Jesus' Name, 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 397, AN ACT concerning insurance; relating to title insurance, title agents and title insurers; eliminating annual controlled business reporting requirements; amending K.S.A. 2023 Supp. 40-2404 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 398, AN ACT concerning insurance; relating to the powers, duties and responsibilities of the commissioner of insurance; authorizing the commissioner of insurance to set the amount of certain fees; requiring the publication of such fees in the Kansas register; amending K.S.A. 40-205a, 40-218, 40-252, 40-2,133, 40-504, 40-956, 40-22a04, 40-2604, 40-2702, 40-3213, 40-3304, 40-3812, 40-3813, 40-4103, 40-4116, 40-4323, 40-4334, 40-4503, 40-5003 and 40-5509 and K.S.A. 2023 Supp. 40-3823, 40-3824, 40-4209, 40-4302 and 40-4903 and repealing the existing sections; also repealing K.S.A. 40-3217, by Committee on Financial Institutions and Insurance.

SB 399, AN ACT concerning motor vehicles; relating to vehicle dealers and salvage vehicle dealers; requiring that monthly reports be filed on the 25th day of the month; amending K.S.A. 8-2408 and repealing the existing section, by Committee on Transportation.

SB 400, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the sporting Kansas City license plate, by Committee on Transportation.

SB 401, AN ACT concerning education; relating to instruction; requiring critical thinking to be integrated into elementary and secondary instruction, by Committee on Federal and State Affairs.

SB 402, AN ACT concerning railroads; relating to crew size; prohibiting crew size requirements for class II and class III railroads, by Committee on Transportation.

SB 403, AN ACT concerning sales taxation; relating to exemptions; providing for a sales tax exemption for be able, inc.; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 404, 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.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 389**.

Financial Institutions and Insurance: **SB 388**, **SB 396**.

Judiciary: **SB 392**, **SB 393**, **SB 394**.

Public Health and Welfare: **SB 390**, **SB 391**.

Ways and Means: **SB 395**.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted to the Senate for confirmation were considered:

Senator Alley moved the following appointments:

By the Governor

On the appointment to the:

Pooled Money Investment Board:

Patty Becker, Term ends March 15, 2028

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos,

Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Absent or Not Voting: Holland, Steffen, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Development Finance Authority:

Kent (Alan) Deines, Term ends January 15, 2026

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Romano Delcore, Term ends March 15, 2026

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Michelle Ewert, Term ends January 15, 2026

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Racing and Gaming Commission:

Mike Fleming, Term ends January 15, 2027

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Absent or Not Voting: Holland, Steffen, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Public Employee Relations Board:

Joni Franklin, Term ends March 15, 2027

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Absent or Not Voting: Holland, Steffen, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Pooled Money Investment Board

Craig Heideman, Term ends March 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Absent or Not Voting: Holland, Steffen, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Public Employees Retirement Board of Trustees:

Emily Hill, Term ends January 15, 2027

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Absent or Not Voting: Holland, Steffen, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas National Guard:

Nicholas Jaskolski

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Alysia Johnston, Term ends June 30, 2027

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Corporation Commission:

Ann (Annie) Keuther, Term ends March 15, 2027

On roll call, the vote was: Yeas 36; Nays 1; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Tyson, Ware, Warren, Wilborn.

Nays: Thompson.

Present and Passing: Peck.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Elizabeth King, Term ends March 15, 2026

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle,

Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Kevin Lockett, Term ends March 15, 2027

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Employment Security Board of Review:

Dawn McClure, Term ends March 15, 2026

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Robba Moran, Term ends March 15, 2026

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Lottery Commission:

Catherine Moyer, Term ends March 15, 2027

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Present and Passing: Warren.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Justin Nichols, Term ends March 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Absent or Not Voting: Holland, Steffen, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Neelima Parasker, Term ends June 30, 2027

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Employment Security Board of Review:

Pamela Pierce, Term ends March 15, 2027

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

Department of Transportation:

Calvin Reed, At the pleasure of the governor

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Lottery Commission:

Vicki Ryan, Term ends March 15, 2027

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Present and Passing: Warren.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Public Employee Relations Board:

Keely Schneider, Term ends March 15, 2027

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Absent or Not Voting: Holland, Steffen, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Development Finance Authority:

Jonathan Small, Term ends January 15, 2027

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle,

Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Highway Patrol:

Erik Smith, At the pleasure of the governor

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Public Employees Retirement Board of Trustees:

Owen (Brad) Stratton, Term ends January 15, 2027

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Absent or Not Voting: Holland, Steffen, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Lottery Commission:

Kenneth (Ed) Trimmer, Term ends March 15, 2027

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Present and Passing: Warren.

Absent or Not Voting: Holland, Steffen.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Racing and Gaming Commission:

Larry Turnquist, Term ends January 15, 2027

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Wilborn.

Absent or Not Voting: Holland, Steffen, Warren.

The appointment was confirmed.

CHANGE OF REFERENCE

The President withdrew **HB 2176** from the Committee on **Assessment and Taxation**, and referred the bill to the Committee on **Local Government**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 331** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Assessment and Taxation** recommends **SB 41**, as recommended by the Senate Committee on Assessment and Taxation to be passed as reported in the Journal of the Senate on February 16, 2023, be passed.

Also, recommends **SB 60**, as recommended by the Senate Committee on Assessment and Taxation to be passed as reported in the Journal of the Senate on February 8, 2023, be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 60," as follows:

"Substitute for SENATE BILL NO. 60

By Committee on Assessment and Taxation

"AN ACT concerning sales taxation; relating to exemptions; providing exemptions for custom meat processing services, purchases for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf, certain purchases and sales by the Johnson county Christmas bureau association and certain purchases by doorstep inc; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section.";

And the substitute bill be passed.

Committee on **Transportation** recommends **SB 142** be passed.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SR 1732 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 25, 2024.

On motion of Senator Alley, the Senate adjourned pro forma until Friday, 9:00 a.m., January 26, 2024.

Journal of the Senate

FOURTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 26, 2024, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 405, AN ACT concerning the Kansas uniform securities act; relating to violations thereof; holding a control person liable for the violations committed by an individual subject to discipline under the act unless the control person was unaware and could not have reasonably have known of the violations of such individual; amending K.S.A. 17-12a412, 17-12a603 and 17-12a604 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 403**.

Education: **SB 401**.

Financial Institutions and Insurance: **SB 397, SB 398**.

Public Health and Welfare: **SB 404**.

Transportation: **SB 399, SB 400, SB 402**.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 22 through January 26, 2024:

Senator Bowers: congratulating Heartland Regional Stockyards on receiving a 2023 Department of Commerce Business Award, congratulating Solutions North Bank on receiving a 2023 Department of Commerce Business Award, congratulating Farmer's Union Mercantile and Shipping Association on receiving a 2023 Department of Commerce Business Award, congratulating Reds DirtWork on receiving a 2023 Department of Commerce Business Award, congratulating Dewey's Mobile Detailing on receiving a 2023 Department of Commerce Business Award;

Senator Reddi: congratulating the award winners in the 2024 Manhattan MLK, Jr. Art and Writing Contest;

Senator Steffen: remembering and honoring the life of Leslie R. Krehbiel; and

Senator Thompson: celebrating Larry Sieve's 100th Birthday.

On motion of Senator Fagg, the Senate adjourned until 2:30 p.m., Monday, January 29, 2024.

Journal of the Senate

FIFTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 29, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 36 senators present.
Senators Claeys, Haley, Holland and Pyle were excused.
Invocation by Reverend Cecil T. Washington:

Reward Good - Punish Evil - Guilt Free
Romans 13:1-10

Heavenly Father, we come today with gratefulness, delighted that the Kansas City Chiefs are AFC Champions and headed for the Super Bowl. But beyond that, in these halls, we're grateful for the opportunity to serve, to be part of our governing process.

In Romans 13:1-10, You give us the responsibilities of a civilized government. And Lord, please keep those principles forefront in our minds. You said that civilized governing authorities are actually instituted by You for the good of the people. And with the divine purpose of rewarding good, punishing evil and enabling us to have a clear conscience, You said that paying our taxes is for the financial support of this endeavor. But, You make it clear that what we owe is far more than just tax support.

You command us to pay ALL our obligations, to fulfill ALL indebtedness, tolls, levies, and fees. Also respect appreciation, honor and kindness, and standing above these is the indebtedness that we cannot pay in full that encapsulates everything.

Lord, it's the obligation You make primary and with these being the halls where civil laws are being considered, You say it's the law that none of us can say, "I've done that... been there... got the t-shirt!"

In verse 10, You sum it up this way, love your neighbor as yourself. Love does no wrong to a neighbor, therefore, love is the fulfillment of the law. So Lord, in the Name of Jesus, I'm asking You to help me and each of us to work at loving one another as we love ourselves, Amen.

The Pledge of Allegiance was led by President Masterson.

Reverend Washington sang "Home on the Range" in celebration of Kansas' 163rd Birthday.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

SB 406, AN ACT concerning financial institutions; enacting the Kansas money

transmission act; relating to the electronic transmission of money; oversight thereof by the state bank commissioner; establishing powers, duties and responsibilities of the state bank commissioner; licensing and renewal processes; penalties; repealing K.S.A. 9-508, 9-509, 9-510, 9-510a, 9-511, 9-513, 9-513a, 9-513b, 9-513c, 9-513d, 9-513e and K.S.A. 2023 Supp. 9-512, by Committee on Financial Institutions and Insurance.

SB 407, AN ACT concerning education; relating to the state board of education; authorizing teaching licenses for individuals who complete an alternative teacher certification program, by Committee on Education.

SB 408, AN ACT concerning transportation; relating to driver training; changing requirements to allow driving school instructors to hold a valid driver's license from any state; amending K.S.A. 8-276 and repealing the existing section, by Committee on Federal and State Affairs.

SB 409, AN ACT concerning discrimination; relating to the Kansas act against discrimination; prohibiting county or city legislation that would modify the established classes of individuals protected from discrimination under such act; amending K.S.A. 44-1001, 44-1002 and 44-1015 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 410, AN ACT concerning roads and highways; designating a portion of United States highway 69 as the Ken W Brock memorial highway, by Committee on Assessment and Taxation.

SB 411, AN ACT concerning state audits; abolishing the division of legislative post audit and the legislative post audit committee; creating the office of state auditor and providing for the powers and duties thereof; providing for the election of the state auditor and term of office; enacting the state audit act; amending K.S.A. 25-101, 25-101a, 25-213a and 25-4001 and K.S.A. 2023 Supp. 25-213 and 75-3101a and repealing the existing sections; also repealing K.S.A. 46-1101, 46-1102, 46-1103, 46-1104, 46-1106, 46-1108, 46-1109, 46-1112, 46-1113, 46-1114, 46-1115, 46-1116, 46-1117, 46-1118, 46-1119, 46-1120, 46-1120a, 46-1122, 46-1123, 46-1125, 46-1126, 46-1127, 46-1128, 46-1129, 46-1135, 46-1136 and 46-1137, by Senator Olson.

SB 412, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; providing that the supervision term in certain multiple conviction cases will be based on the longest supervision term imposed for any of the crimes; amending K.S.A. 21-6819 and repealing the existing section, by Committee on Judiciary.

SB 413, AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; specifying penalties for unlawful distribution of controlled substances with respect to material containing any quantity of a fentanyl-related controlled substance when distributed by weight or dosage unit; amending K.S.A. 21-5705 and repealing the existing section, by Committee on Judiciary.

SB 414, AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; increasing penalties for unlawful distribution of controlled substances with respect to material containing any quantity of a fentanyl-related controlled substance; creating a special sentencing rule for such unlawful distribution thereof; amending K.S.A. 21-5705 and 21-6805 and repealing the existing sections, by Committee on Judiciary.

SB 415, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of organized retail crime and providing criminal penalties for violation thereof; relating to theft; increasing penalties for theft of certain property; relating to the

Kansas racketeer influenced and corrupt organization act; including organized retail crime in the definition of racketeering activity; relating to the attorney general; authorizing the attorney general to prosecute crimes that are part of an alleged course of criminal conduct that occurred in two or more counties; amending K.S.A. 21-5801 and 21-6328 and K.S.A. 2023 Supp. 75-702 and repealing the existing sections, by Committee on Judiciary.

SB 416, AN ACT concerning children and minors; relating to juvenile offenders; the revised Kansas juvenile justice code; prohibiting fines, fees and costs from being assessed against a juvenile or a juvenile's parent, guardian or custodian; amending K.S.A. 12-16,119, 20-3129, 21-6609, 22-4905, 28-170, 28-170a, 28-176, 38-2306, 38-2312, 38-2315, 38-2317, 38-2328, 38-2331, 38-2346, 38-2348, 38-2360, 38-2361, 38-2362, 38-2369, 38-2373, 38-2384, 38-2389, 38-2396, 38-2399 and 75-724 and K.S.A. 2023 Supp. 28-177 and repealing the existing sections; also repealing K.S.A. 20-167, 38-2314, 38-2319, 38-2321, 38-2322 and 38-2324, by Committee on Judiciary.

SB 417, AN ACT repealing K.S.A. 32-840; removing the secretary of wildlife and park's authority to exercise the right of eminent domain, by Committee on Agriculture and Natural Resources.

SB 418, AN ACT concerning courts; requiring the clerk of the appellate courts to publish monthly a list of cases of the supreme court and court of appeals in which a decision has not been entered and filed within six months of submission and a list of cases in which a petition for review has not been granted or denied within six months of submission; amending K.S.A. 20-3301 and repealing the existing section, by Committee on Judiciary.

SB 419, AN ACT concerning crimes, punishment and criminal procedure; relating to aggravated endangering a child; increasing the criminal penalties in certain environments associated with fentanyl-related controlled substances or when bodily harm to the child results; amending K.S.A. 21-5601 and repealing the existing section, by Committee on Judiciary.

SB 420, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving violations of personal rights; eliminating the element of concealment from the crime of breach of privacy related to installing or using a device to photograph or record another identifiable person under or through the clothing being worn by that other person or another identifiable person who is nude or in a state of undress; amending K.S.A. 21-6101 and repealing the existing section, by Committee on Judiciary.

SB 421, AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for exploration place, inc.; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Senators Blasi, Alley, Erickson, Fagg, Faust-Goudeau, Kerschen, Masterson, Petersen and Ware.

SCR 1615—A CONCURRENT RESOLUTION rejecting the rates of compensation and salary for members of the Legislature set by the Legislative Compensation Commission, by Senators Tyson, Baumgardner, Doll, Shallenburger, Steffen, Straub and Warren

INTRODUCTION OF SENATE RESOLUTIONS

SR 1733—A RESOLUTION affirming the Kansas senate's unwavering support for free press in the state of Kansas and directing the attorney general to make a report to

the body concerning the Colorado bureau of investigation's inquiry regarding the extent to which the civil rights of any Kansan were violated when certain search warrants were executed in Marion, Kansas, on August 11, 2023, by Senators Sykes, Francisco, Haley, Holscher, Pettey, Reddi and Ware.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Financial Institutions and Insurance: **SB 405**.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, January 30, 2024.

Journal of the Senate

SIXTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 30, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 39 senators present.

Senator Longbine was excused.

The President introduced Doug Henkle who delivered the Invocation:

Thank You for bringing us together here this afternoon. Remind us we have come together here, in this 2024 legislative session, in this chamber, to serve the people of Kansas who elected us. I lift up President Masterson, Vice-President Wilborn, Majority Leader Alley and Minority Leader Sykes to You. Give them Your direction as they lead this chamber.

I pray for Your peace in this chamber and in this building. Cause us to think before we speak. Before our lips start moving, cause us to pause and think about our words. Remind us to never think our words will be overlooked and easily erased. Cause us to focus on the issues at hand. Cause us to argue our positions, to present reasons for or against the matter at hand, in an honorable way to the best of our ability.

Keep us from quarrels and angry disputes, injuring otherwise friendly relations. Remind us that death words destroy, hurt, create humiliating feelings. Life words build and increase strength of character. They center on the truth, and therefore they set the other person free. Cause us to ask ourselves: Are our words accurate or exaggerated? Necessary or needless? Wholesome or vile? Cause us, as Your Word admonishes us to do, to speak the truth in love. Cause us not to think more of ourselves than we ought.

At the end of the day, cause us to reflect not on what we gained or lost personally, but by what we accomplished for the people of Kansas in this legislative body called the Kansas Senate. In Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

SB 422, AN ACT concerning electric public utilities; relating to net metering; increasing the system-wide capacity limit for facilities subject to net metering; requiring such facilities to be appropriately sized based on the customer's expected load; establishing requirements for exporting power to a utility from a facility subject to net metering; amending K.S.A. 66-1264, 66-1265, 66-1266 and 66-1267 and repealing the existing sections, by Committee on Utilities.

SB 423, AN ACT concerning insurance; reducing the number of board members appointed by the commissioner on certain insurance-related governing boards and the frequency of the meetings of the committee on surety bonds and insurance; amending K.S.A. 40-2102, 40-2109, 40-3116, 40-3413, 65-34,126 and 75-4101 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 424, AN ACT concerning the Kansas plane coordinate system act; providing for geographic positions or locations of points within the state of Kansas; amending K.S.A. 58-20a01, 58-20a02, 58-20a03, 58-20a04, 58-20a05 and 58-20a07 and repealing the existing sections; also repealing K.S.A. 58-20a06, by Committee on Federal and State Affairs.

SB 425, AN ACT concerning children and families; relating to orders of child support; providing for child support for unborn children from the date of conception; amending K.S.A. 20-165, 23-2205 and 23-3001 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 426, AN ACT concerning traffic regulations; relating to unlawful passing of stationary authorized emergency vehicle; increasing penalties for certain violations; creating a crime for injuring or causing death of certain authorized emergency vehicle operators and providing a penalty therefor; amending K.S.A. 8-1530, 8-2116 and 8-2118 and repealing the existing sections, by Committee on Transportation.

SB 427, AN ACT concerning education; relating to boards of education; requiring school districts to publicly list the names and email addresses of current board members; authorizing local school board members to add new items to board meeting discussions, ask questions or engage in discussion with members of the public and access school property; authorizing members of the public to address school boards at board meetings; authorizing payment of annual dues to any not-for-profit organization that provides services to member school districts; amending K.S.A. 72-1145 and 72-1416 and K.S.A. 2023 Supp. 72-1138 and repealing the existing sections, by Committee on Education.

SB 428, AN ACT concerning education; relating to school districts; boards of education; requiring attendance center needs assessments to be conducted by the board and include input from board members, teachers, school site councils and administrators; requiring that board members receive certain state assessment data; identifying allocations of moneys in the district budget and budget summary; amending K.S.A. 2023 Supp. 72-1163 and repealing the existing section, by Committee on Education.

SB 429, AN ACT concerning taxation; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; amending K.S.A. 2023 Supp. 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Assessment and Taxation.

SENATE CONCURRENT RESOLUTION **No. 1616**

By Senator Pyle

A PROPOSITION to amend section 5 of article 3 of the constitution of the state of Kansas; relating to the selection of supreme court justices; allowing the governor to appoint supreme court justices, subject to senate confirmation; changing the membership of the supreme court nominating commission.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members

elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 5 of article 3 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 5. Selection of justices of the supreme court. (a) Any vacancy occurring in the office of any justice of the supreme court and any position to be open ~~thereon~~ *on the supreme court* as a result of enlargement of the court, or the retirement or failure of an incumbent to file ~~his~~ *such justice's* declaration of candidacy to ~~succeed himself~~ *be retained in office* as hereinafter required, or failure of a justice to be elected to ~~succeed himself~~ *be retained in office*, shall be filled by appointment by the governor, *with the consent of the senate*, of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided.

(b) In event of the failure of the governor to make the appointment within ~~sixty~~ 60 days from the time the names of the nominees are submitted to ~~him~~ *the governor*, the chief justice of the supreme court, *with the consent of the senate*, shall make the appointment from such nominees.

(c) *No person appointed pursuant to this section shall assume the office of justice of the supreme court until the senate, by an affirmative vote of the majority of all members of the senate then elected or appointed and qualified, consents to such appointment. The senate shall vote to consent to any such appointment not later than 60 days after such appointment is received by the senate. If the senate is not in session and will not be in session within the 60-day time limitation, the senate shall vote to consent to any such appointment not later than 20 days after the senate begins its next session. In the event a majority of the senate does not vote to consent to the appointment, the governor, within 60 days after the senate vote on the previous appointee, shall appoint another person possessing the qualifications of office, and such subsequent appointment shall be considered by the senate using the same procedure as provided in this section. The same appointment and consent procedure shall be followed until a valid appointment has been made. No person who has been previously appointed but did not receive the consent of the senate shall be appointed again for the same vacancy. If the senate fails to vote on an appointment within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to such appointment.*

(d) (1) Each justice of the supreme court appointed and consented to pursuant to ~~provisions of subsection (a)~~ of this section shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of ~~twelve~~ 12 months

in office.

(2) Not less than ~~sixty~~ 60 days prior to the holding of the general election next preceding the expiration of ~~his~~ *the* term of office, any justice of the supreme court may file in the office of the secretary of state a declaration of candidacy for ~~election to succeed himself~~ *retention in office*. If a declaration is not ~~so~~ filed *as provided in this section*, the position held by such justice shall be open from the expiration of ~~his~~ *such justice's* term of office. If such declaration is filed, ~~his~~ *such justice's* name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall _____

(Here insert name of justice.)

(Here insert the title of the court.)

be retained in office?"

(3) If a majority of those voting on the question vote against retaining ~~him~~ *the justice* in office, the position ~~or office which he~~ *that the justice* holds shall be open upon the expiration of ~~his~~ *the justice's* term of office; Otherwise ~~he~~ *the justice* shall, unless removed for cause, remain in office for the regular term of six years from the second Monday in January following such election. At the expiration of each term ~~he~~ *the justice* shall, unless by law ~~he~~ *the justice* is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.

~~(d)~~(e) (1) A ~~nonpartisan~~ nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court is hereby established, and shall be known as the "supreme court nominating commission." ~~Said~~ *Such* commission shall be organized as hereinafter provided.

~~(e)~~(2) The supreme court nominating commission shall be composed as follows: One member, who shall be ~~chairman, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; and one member, who is not a lawyer, from each congressional district~~ *chairperson*, appointed by the governor ~~from among the residents of each such district; one member appointed by the chief justice; the lieutenant governor; the secretary of state; the attorney general; the president of the senate; and the speaker of the house of representatives.~~

(f) The terms of office, ~~the procedure for selection and certification of~~ the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.

~~(g) No member of the supreme court nominating commission shall,~~

~~while he is a member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court. The commission may act only by the concurrence of a majority of its members."~~

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

"Explanatory statement. The purpose of this amendment is to change the procedure for selecting supreme court justices by requiring senate consent and to change the membership of the supreme court nominating commission. The members of the commission would be changed to: One member, who shall be chairperson, appointed by the governor; one member appointed by the chief justice; the lieutenant governor; the secretary of state; the attorney general; the president of the senate; and the speaker of the house of representatives. The gubernatorial appointments to the commission would be reduced from four members to one member. The members of the bar would no longer elect members of the commission. The commission would continue to nominate three persons for appointment by the governor. The governor would appoint one of such persons to the office of justice of the supreme court, and such person's appointment is subject to the consent of the senate. A procedure is established whereby senate consent would occur within 60 days of receiving the appointment. If the senate does not consent by a majority vote, the governor would then select a different appointment that would again go to the senate for consent. The same appointment and consent procedure would be followed until a valid appointment is made. If the senate fails to vote on an appointment within 60 days, it will be considered that the senate has consented to the appointment. Supreme court justices would continue to hold six-year terms and be subject to retention elections.

"A vote for this proposition would add a senate confirmation requirement to the current system in which justices of the supreme court are appointed by the governor from a list of three individuals submitted by the supreme court nominating commission. The members of the commission would be changed to: One member, who shall be chairperson, appointed by the governor; one member appointed by the chief justice; the lieutenant governor; the secretary of state; the attorney general; the president of the senate; and the speaker of the house of representatives.

"A vote against this proposition would continue in effect the current system in which justices of the supreme court are appointed by the governor from a list of three individuals submitted by the supreme court nominating commission, without senate confirmation. The members of the commission would continue to be: One member, who shall be chairperson, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident

members of the bar in each such district; and one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at a special election which is hereby called on March 19, 2024, pursuant to section 1 of article 14 of the constitution of the state of Kansas, to be held in conjunction with the primary election held on such date.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 417**.

Assessment and Taxation: **SB 421**.

Education: **SB 407**.

Federal and State Affairs: **SB 409, SB 411**.

Financial Institutions and Insurance: **SB 406**.

Judiciary: **SB 412, SB 413, SB 414, SB 415, SB 416, SB 418, SB 419, SB 420**.

Transportation: **SB 408, SB 410**.

Ways and Means: **SCR 1615**.

REFERENCE OF SENATE RESOLUTIONS

Federal and State Affairs: **SR 1733**

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

2023 Annual Report, Kansas Forest Service - Kansas State University

CONSIDERATION OF ORIGINAL MOTIONS

Citing Senate Rule 11, Senator Olson motioned to withdraw **SCR 1615** from the Committee on **Ways and Means** and advance the resolution to the Calendar under the heading of **General Orders**, below the line.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 366** be amended on page 5, in line 6, by striking "a" and inserting "an official"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 172**, be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, January 31, 2024.

Journal of the Senate

SEVENTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 31, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 39 senators present.

Senator Longbine was excused.

The President introduced Doug Henkle who delivered the Invocation:

Heavenly Father, Thank You for Your overwhelming love for and personal knowledge of each of us. How You cherish each Senator here. King David, exclaimed regarding Your amazing knowledge of us, saying, "How precious are Your thoughts concerning me, O God! How vast in number they are. And Jesus has told us that "even the hairs of our head are all counted." Oh, how You love us!

Father, we are blessed to come confidently before You, today, in this chamber. I pray that each Senator here knows how much You love them. I thank You that You intimately know and deeply love Senator Alley, Senator Baumgardner, Senator Billinger, Senator Blasi, Senator Bowers, Senator Claeys, Senator Corson, Senator Dietrich, Senator Doll, Senator Erickson, Senator Fagg, Senator Faust-Goudeau, Senator Francisco, and Senator Gossage.

Thank You that You individually know and intensely love Senator Haley, Senator Holland, Senator Holscher, Senator Kerschen, Senator Kloos, Senator Longbine, Senator Masterson, Senator McGinn, Senator O' Shea, Senator Olson, Senator Peck, Senator Petersen, and Senator Petty.

Thank You that You personally know and profoundly love Senator Pittman, Senator Pyle, Senator Reddi, Senator Ryckman, Senator Schallenburger, Senator Steffen, Senator Straub, Senator Sykes, Senator Thompson, Senator Tyson, Senator Ware, Senator Warren, and Senator Wilborn.

Bless each Senator with Your peace and Your wisdom, 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 430, AN ACT concerning workers compensation; relating to coverage under the act, notice, benefits, liability limitations, definitions, evidentiary standards, hearings, admission of evidence, procedures, settlements and other matters; providing coverage for members of the Kansas national guard under the workers compensation act; limiting reduction to awards for functional impairment on the basis of preexisting impairment to preexisting impairment to the same physical structure as the body part injured; limiting

reductions to benefits based on retirement benefits; defining registered mail; requiring a judicial determination of dependency for immediate payment of death benefit; increasing the maximum amount of death benefits; extending the time period for payments to dependent children when in schools; providing for a yearly adjustment to the maximum death benefit to commence in 2027; increasing the minimum weekly payment for permanent total disability; adding certain functional impairment requirements to the determination of permanent total disability; increasing the minimum weekly payment amount for temporary total disability; providing that loss of use of a scheduled member shall be the percentage of functional impairment the employee sustained on account of the injury; reducing the percentage of functional impairment required for eligibility for permanent partial general disability compensation; increasing employers' maximum liability for permanent total disability, temporary total disability, permanent or temporary partial disability and permanent partial disability and providing for a yearly adjustment in such maximum liability limits to commence in 2027; applying an employer's credit for voluntary payments of unearned wages to any award; increasing the maximum employer liability for unauthorized medical care; increasing the evidentiary standard for future medical treatment after maximum medical improvement in certain circumstances; limiting proceedings for post-award medical benefits; creating a presumption that no costs or attorney fees be awarded when requests for post-award medical benefits are provided within 30 days; defining money for purposes of the average weekly wage; excluding the first week of employment in the calculation of an employee's average weekly wage under certain circumstances; allowing payment of certain benefits by electronic funds transfer or payment card; increasing employer liability for expenses of claimant for required examinations; establishing procedures for neutral healthcare examinations and for the exchange of medical reports between parties; providing for the admission of medical reports without necessity of additional foundation subject to compliance with certain procedures; extending deadlines for notice to an employer by an employee of injury; eliminating the three-year deadline for a claimant's motion to extend time for proceeding to avoid dismissal for lack of prosecution; prohibiting an award from including future medical treatment unless a specified standard of proof is met; clarifying certain language referencing a claimant; providing a procedure for expedited settlement on written stipulations by means of a form established by the director of workers compensation; allowing the record of hearings by digital recording and transcription by either a court reporter or a notary public; providing that certified reporters fees be taxed as costs if no record is taken; providing for the workers compensation fund to implead a principal as a party in a proceeding; providing for certain other changes to the workers compensation act; amending K.S.A. 44-501, 44-508, 44-510b, 44-510c, 44-510d, 44-510e, 44-510f, 44-510h, 44-510k, 44-511, 44-512, 44-515, 44-516, 44-519, 44-520, 44-523, 44-525, 44-526, 44-531, 44-534a, 44-552 and 44-566a and repealing the existing sections, by Committee on Commerce.

SB 431, AN ACT concerning the state capitol; directing the capitol preservation committee to approve plans for a memorial honoring the life of Emil Joseph Kapaun, by Senators Blasi, Bowers and Wilborn.

SB 432, AN ACT concerning gaming; relating to sports wagering; prohibiting advertising of sports wagering through internet websites and electronic device applications; amending K.S.A. 2023 Supp. 74-8785 and repealing the existing section,

by Senators Holscher and Peck.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 429**.
Education: **SB 427, SB 428**.
Federal and State Affairs: **SB 424**.
Financial Institutions and Insurance: **SB 423**.
Judiciary: **SB 425; SCR 1616**.
Transportation: **SB 426**.
Utilities: **SB 422**.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 15**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senators Masterson, Wilborn and Alley introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1734—

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, On January 13, 2024, Taiwan held its 8th direct presidential election, demonstrating the strength and vitality of its democratic system and confirming Taiwan's status as a beacon of democracy in Asia; and

WHEREAS, Kansas and Taiwan enjoy mutually beneficial bilateral trade relations, with Taiwan ranking as Kansas' 3rd largest import country and 11th largest export destination in 2022; and

WHEREAS, The University of Kansas has initiated a three-year academic collaborative program on Mandarin Learning and Teaching with the National Sun Yet-Sen University under the Taiwan Huayu BEST program, sponsored by Taiwan's Ministry of Education; 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 World Health Organization, the United Nations Framework Convention on Climate Change, the International Criminal Police Organization, the International Civil Aviation Organization and the Indo-Pacific Economic Framework for Prosperity launched by United States: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That Kansas commends and

applauds Taiwan's vibrant democracy and celebrates the 35th 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 reaffirms its support of 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 Secretary of the Senate shall send four enrolled copies of this resolution to Senator Alley.

On emergency motion of Senator Alley **SR 1734** was adopted by voice vote.

MESSAGES FROM THE HOUSE

The House adopts the Conference Committee report on **SB 15**.

CONSIDERATION OF ORIGINAL MOTIONS

The motion by Senator Olson on **SCR 1615** to withdraw from the Committee on **Ways and Means** and advance the resolution to **General Orders** below the line, was not adopted by the required 24 affirmative votes.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 21; Nays 3; Present and Passing 12; Absent or Not Voting 4.

Yeas: Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Fagg, Faust-Goudeau, Gossage, Kloos, Olson, Petersen, Pittman, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Doll, McGinn, Peck.

Present and Passing: Alley, Corson, Erickson, Francisco, Haley, Holscher, Masterson, Pettey, Reddi, Ryckman, Sykes, Ware.

Absent or Not Voting: Holland, Kerschen, Longbine, O'Shea.

FINAL ACTION ON CONSENT CALENDAR

SB 331 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, was considered on final action.

SB 331, AN ACT concerning health and environment; relating to public water supply systems and hazardous waste; removing the definition of lead-free and an exception for leaded joints from public water supply system laws; updating terminology relating to hazardous waste generated by certain persons; amending K.S.A. 65-171r, 65-3415, 65-3415a and 65-3460 and K.S.A. 2023 Supp. 65-3402 and repealing the existing sections.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 1; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kloos, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Ware.

Absent or Not Voting: Holland, Kerschen, Longbine, O'Shea, Steffen.

The bill passed.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 15** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 7 through 32; following line 32 by inserting "New Section 1. As used in sections 1 through 3, and amendments thereto:

(a) "Kansas sheltered workshop employer" or "workshop employer" means a private nonprofit, state or local government institution that provides employment opportunities for individuals with intellectual, developmental or physical disabilities and provides such employment opportunities for all or a portion of such individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c).

(b) "Secretary" means the secretary of labor.

New Sec. 2. (a) There is hereby created in the state treasury the Kansas sheltered workshop transition fund. The secretary of labor shall administer the fund. All expenditures from the fund shall be for the purpose of facilitating transitions by Kansas sheltered workshop employers away from employing individuals with disabilities under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c) and toward paying all such employees at least the minimum wage. Such purpose shall be achieved by providing matching grants from fund moneys to Kansas sheltered workshop employers that commit to paying at least the minimum wage to all employees. A grant shall be matched on a \$1-to-\$1 basis by the Kansas sheltered workshop employer from nonstate sources.

(b) Applications for matching grants shall be made by Kansas sheltered workshop employers to the secretary in the form and manner required by the secretary. In determining whether applicants should be approved and receive a grant, the secretary shall seek the assistance of the secretary for children and families, the secretary for aging and disability services or any other appropriate state agency. The secretary for children and families, secretary for aging and disability services or other state agency shall provide such assistance to the secretary as requested by the secretary. The applicant shall provide a transition plan to the secretary demonstrating how the applicant will use the grant and other funding to transition away from use of a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c). The Kansas sheltered workshop shall commit to completing the plan to receive a grant. If the secretary approves the transition plan, finds that the Kansas sheltered workshop has sufficient nonstate funding to match the grant with nonstate funds on a \$1-to-\$1 basis and approves the application, the secretary shall award the Kansas sheltered workshop a matching grant in the amount determined by the secretary. The secretary may award subsequent additional grants to the same Kansas sheltered workshop employer upon satisfactory progress shown by such workshop employer pursuant to the workshop employer's transition plan.

(c) Kansas sheltered workshop employers that receive a matching grant shall provide such information to the secretary as requested, excluding any information prohibited from disclosure under state or federal law, regarding the use of grant funds, use of associated nonstate funds and progress made toward achievement of the

transition plan as developed pursuant to subsection (b). Such information shall be utilized by the secretary to analyze and monitor the use of grant funds and compliance with and progress toward completion of the transition plan by workshop employers and to develop best uses of grant funds and transition methods to attain the goal of sections 1 through 3, and amendments thereto.

(d) On or before January 31, 2025, and annually on or before January 31 thereafter, the secretary shall report to the house of representatives standing committee on commerce, labor and economic development or its successor committee and the senate standing committee on commerce or its successor committee on the amount and uses of grant funding by each Kansas sheltered workshop employer that has received a matching grant and the progress made by each Kansas sheltered workshop employer toward the goal of sections 1 through 3, and amendments thereto.

(e) All expenditures from the Kansas sheltered workshop transition fund shall be for the purpose described in subsection (a) and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of labor or the secretary's designee.

(f) On July 1, 2024, and each July 1 thereafter, or as soon thereafter as moneys may be available, the director of accounts and reports shall transfer \$1,000,000 from the state economic development initiatives fund established by K.S.A. 79-4804, and amendments thereto, to the Kansas sheltered workshop transition fund.

New Sec. 3. The provisions of sections 1 through 3, and amendments thereto, shall expire on July 1, 2034. On July 1, 2034, the director of accounts and reports shall transfer all unencumbered moneys in the Kansas sheltered workshop transition fund to the state general fund. After such transfer, the Kansas sheltered workshop transition fund shall be abolished and all liabilities of the Kansas sheltered workshop transition fund shall be transferred to and imposed on the state general fund.

Sec. 4. K.S.A. 79-32,273 is hereby amended to read as follows: 79-32,273. (a) ~~For tax years 2019 through 2023, The provisions of this section shall be known and may be cited as the disability employment act.~~

(b) ~~A credit shall be allowed against the tax imposed by the Kansas income tax act in an amount equal to 15% of the amount for expenditures of goods and services purchased by the taxpayer from a qualified vendor on and after January 1, 2019, and before January 1, 2024 including such expenditures made on and after January 1, 2024, but prior to the effective date of this act, as certified by the secretary of commerce as provided in subsection (e) (d). The amount of such credit awarded for each taxpayer shall not exceed \$500,000 per qualified vendor per tax year. In no event shall the total amount of cumulative credits allowed under this section exceed:~~

- ~~(1) \$5,000,000 for tax years 2019 through 2023;~~
- ~~(2) \$8,000,000 for all tax years that the credit remains in effect 2024 through 2028;~~
- ~~and~~
- ~~(3) \$8,000,000 for each consecutive five tax years thereafter starting with tax year 2029.~~

~~(b)(c)~~ (c) The tax credit allowed by this section shall be deducted from the taxpayer's income tax liability for the tax year in which the expenditures were made by the taxpayer. If the amount of such tax credit exceeds the taxpayer's income tax liability for such tax year, the taxpayer may carry over the amount that exceeds such tax liability for deduction from the taxpayer's liability in the next succeeding tax year or years until the

total amount of the tax credit has been deducted from tax liability, except that no such tax credit shall be carried over for deduction after the fourth tax year succeeding the tax year in which the expenditures were incurred.

~~(e)~~(d) The secretary of commerce shall annually certify that expenditures for goods and services purchased by a taxpayer subject to the tax credit provided in this section were made from a qualified vendor, and provide such certification to the secretary of revenue. The secretary of commerce is hereby authorized to promulgate rules and regulations for establishing criteria based on the provisions of K.S.A. 75-3317 et seq., and amendments thereto, for evaluating whether purchases by taxpayers from a qualified vendor should be certified as provided in this section, with the assistance and approval of the secretary of revenue.

~~(d)~~(c) As used in this section:

(1) ~~"Certified business"~~"Qualified vendor" means:

~~(A)~~ Any business ~~certified by the department of administration~~ that qualifies as a certified business pursuant to K.S.A. 75-3740, and amendments thereto, and is a not-for-profit business that is a sole proprietorship, partnership, association or corporation domiciled in Kansas, or any corporation, even if a wholly owned subsidiary of a foreign corporation, that:

~~(A)~~(i) Does business primarily in Kansas or substantially all of its production in Kansas;

~~(B)~~(ii) employs at least 30% of its employees in an integrated setting who are individuals with disabilities and reside in Kansas;

~~(C)~~(iii) offers to contribute at least 75% of the premium cost for individual health insurance coverage for each eligible employee. The department of administration shall require a certification of these facts; and

~~(D)~~(iv) does not employ individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c);

~~(B)~~ qualifies as a qualified vendor pursuant to K.S.A. 75-3317, and amendments thereto, and also:

(i) Employs at least 30% of its employees in an integrated setting;

(ii) offers to contribute at least 75% of the premium cost for individual health insurance coverage for each eligible employee or offers a qualified company-sponsored insurance plan under the affordable care act or pays the required subsidy to the internal revenue service for employees who purchase insurance through the open market, if a company-sponsored plan is not offered. If any such company is not covered under the affordable care act and does not offer a company-sponsored insurance plan, such company must offer assistance to the employee to cover at least 75% of their health insurance costs through a health savings account or other legal and appropriate methodology; and

(iii) does not employ individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c); or

~~(C)~~ a division within a Kansas not-for-profit organization that:

(i) Does business primarily in Kansas or substantially all of its production in Kansas;

(ii) within such division, employs in an integrated setting at least 30% of its employees who are individuals with disabilities and reside in Kansas;

(iii) within such division, offers to contribute at least 75% of the premium cost for

individual health insurance coverage for each eligible employee or offers a qualified company-sponsored insurance plan under the affordable care act or pays the required subsidy to the internal revenue service for employees who purchase insurance through the open market, if a company-sponsored plan is not offered. If any such company is not covered under the affordable care act and does not offer a company-sponsored insurance plan, such company must offer assistance to the employee to cover at least 75% of their health insurance costs through a health savings account or other legal and appropriate methodology; and

(iv) does not employ individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c) and the Kansas not-for-profit organization, including any other division within the Kansas not-for-profit organization, does not employ individuals under such a certificate.

(2) "individuals with disabilities" or "individual with a disability" means any individual who:

(A) Is certified by the Kansas department for aging and disability services or by the Kansas department for children and families, which administers the rehabilitation services program or by a healthcare provider determined by the secretary of revenue, that shall include, but is not limited to, medical doctors, doctors of osteopathy, physician assistants, nurse practitioners, physical therapists, occupational therapists and optometrists who can substantiate an individual as having a physical or mental impairment that constitutes a substantial barrier to employment; and

(B)—works a minimum number of hours per week for a certified business necessary to qualify for health insurance coverage offered pursuant to subsection (d)(1); and

(C) (i) is receiving services, has received services or is eligible to receive services under a home and community based services program, as defined by K.S.A. 39-7,100, and amendments thereto;

(ii) is employed by a charitable organization domiciled in the state of Kansas and exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended; or

(iii) is an individual with a disability pursuant to the disability standards established by the social security administration as determined by the Kansas disability determination services under the Kansas department for children and families; and

(3)—"qualified vendor" means an entity that:

(A) Is a "qualified vendor" pursuant to K.S.A. 75-3317, and amendments thereto; or is a "certified business" that is also a nonprofit organization pursuant to K.S.A. 75-3740, and amendments thereto;

(B) pays minimum wage or above to all their employees in a manner that meets the definition of "competitive employment" pursuant to K.S.A. 44-1136, and amendments thereto;

(C)—meets the definition of employing all of their workers in an "integrated setting" pursuant to K.S.A. 44-1136, and amendments thereto; and

(D) offers a qualified company-sponsored insurance plan under the affordable care act or pays the required subsidy to the internal revenue service for employees who purchase insurance through the open market, if a company-sponsored plan is not offered. If any such company is not covered under the affordable care act, and does not offer a company-sponsored insurance plan, such company must offer assistance to the employee to cover at least 75% of their health insurance costs through a health savings

~~account or other legal and appropriate methodology.~~

(e)(f) The secretary of revenue shall report to the house committee on taxation and the senate committee on assessment and taxation on or before February 1, 2021, 2022, and 2023, concerning the implementation and effectiveness of the credit provided in this section.";

Also on page 1, in line 33, by striking "40-247" and inserting "79-32,273";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the semicolon and inserting "employment; relating to persons with disabilities; increasing the maximum yearly amount of income tax credits available for purchases under the disability employment act from qualified vendors and continuing in existence such credits beyond tax year 2023; defining qualifying vendors and eligible employees; establishing a grant program administered by the secretary of labor to facilitate transitions from sub-minimum to at least minimum wage employment for persons with disabilities; creating the Kansas sheltered workshop transition fund"; in line 4, by striking "40-247" and inserting "79-32,273";

And your committee on conference recommends the adoption of this report.

SEAN TARWATER

LES MASON

JASON PROBST

Conferees on part of House

CARYN TYSON

VIRGIL PECK

ETHAN CORSON

Conferees on part of Senate

Senator Tyson moved the Senate adopt the Conference Committee Report on **SB 15**.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 1; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kloos, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Ware.

Absent or Not Voting: Holland, Kerschen, Longbine, O'Shea, Steffen.

The Conference Committee Report was adopted.

CHANGE OF REFERENCE

The President withdrew **SB 424** from the Committee on **Federal and State Affairs**, and referred the bill to the Committee on **Transportation**.

REPORTS OF STANDING COMMITTEES

Committee on **Local Government** recommends **SB 362** be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 1, 2024.

Journal of the Senate

EIGHTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 1, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 37 senators present.
Senators Longbine, O'Shea and Steffen were excused.
Invocation by Reverend Cecil T. Washington:

Same Mud – Same Blood – Equal In God's Sight
Acts 17:26, Romans 14:11

Lord, let us thank You today, for Carter J Woodson, who, behind W.E.B. Du Bois, was the second African American to receive a doctorate from Harvard, and became known as the Father of Black History. You led him to lobby and encourage others in pushing for Black History Month to become a nationwide institution, choosing the month of February for its celebration because of two great Americans born in February.

You brought Abraham Lincoln, a white brother, into the world on February 12th and Frederick Douglas, a Black brother, on February 14th, and You used both of them to play powerful roles in honoring and shaping Black history.

Lord, I pray that all of us would become active for the cause of equality. We're all in this thing together. Lord, I'm reminded of the story where all the elements involved would lead to racial conflict; a Black Squad Sgt, out of Detroit was leading a Squad of White soldiers out of Mississippi. When the war was over and they came home, they were the best of friends and inseparable because they'd been fighting the same war, dodging the same bullets, diving into the same fox holes, experiencing the same mud, and according to Acts 17:26, sharing the same blood. Lord, help us to realize that today we're fighting the same war, dodging the same bullets, experiencing the same mud, sharing the same blood.

Remind us that we're equal in Your sight. I offer this prayer in the Name of Jesus, the One to Whom, according to Romans 14:11, all of us will one day bow. Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

SB 433, AN ACT concerning health and healthcare; relating to institutional licenses; clarifying practice privileges; amending K.S.A. 65-2895 and repealing the existing section, by Committee on Public Health and Welfare.

SB 434, AN ACT concerning public health; relating to the practice of cosmetology; exempting the practice of hair removal by sugaring from the definition of cosmetology; amending K.S.A. 2023 Supp. 65-1901 and 65-1928 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 435, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for period products, diapers and incontinence products; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Committee on Federal and State Affairs.

SB 436, AN ACT concerning income taxation; relating to credits; establishing a child tax credit, by Committee on Assessment and Taxation.

SB 437, AN ACT concerning education; establishing the Kansas education enrichment program; authorizing educational awards to certain elementary and secondary students for qualifying expenses for educational goods and services; requiring the state treasurer to administer the program; establishing the Kansas education enrichment program fund; making and concerning appropriations for the fiscal year ending June 30, 2025, for the department of revenue, by Committee on Education.

SB 438, AN ACT concerning postsecondary education; relating to the AO-K program; eliminating the requirement to subtract other aid from the state payment; amending K.S.A. 2023 Supp. 74-32,267 and repealing the existing section, by Committee on Education.

SB 439, AN ACT concerning the revised Kansas juvenile justice code; prohibiting the use of restraints during hearings; authorizing exceptions if the court makes certain findings on the record; defining hearing under the code; amending K.S.A. 38-2353 and K.S.A. 2023 Supp. 38-2302 and repealing the existing sections, by Committee on Judiciary.

SB 440, AN ACT concerning traffic regulations; relating to driving privileges; revoking the authority to suspend a person's driving privileges or driver's license due to nonpayment of fines or court costs from traffic citations; providing for retroactive application thereof; amending K.S.A. 8-2106 and 8-2110 and repealing the existing sections, by Committee on Judiciary.

SB 441, AN ACT enacting the fairness in condemnation act; relating to the eminent domain procedure act; requiring the plaintiff condemning authority to provide the property owner notice and opportunity for negotiation; providing for court review of compliance with this act, by Committee on Judiciary.

SB 442, AN ACT concerning court services officers; relating to persons found not guilty by reason of mental disease or defect; prohibiting supervision by court services officers; amending K.S.A. 22-3428 and repealing the existing section, by Committee on Judiciary.

SB 443, AN ACT concerning eminent domain; relating to the eminent domain procedure act; requiring landowners whose land is taken by eminent domain for electric transmission lines to be compensated at not less than fair market value multiplied by 150%; amending K.S.A. 26-513 and repealing the existing section, by Committee on Judiciary.

SB 444, AN ACT concerning county law libraries; relating to the board of trustees thereof; providing that the attorney members of the board in certain counties shall be appointed by the chief judge of the judicial district; allowing the board to authorize the

chief judge to use certain fees for the purpose of facilitating and enhancing functions of the district court of the county; amending K.S.A. 20-3127 and repealing the existing section, by Committee on Judiciary.

SENATE CONCURRENT RESOLUTION No. 1617

By Committee on Federal and State Affairs

A PROPOSITION to amend section 11 of article 1 of the constitution of the state of Kansas; relating to vacancies in the offices of the secretary of state and the attorney general.

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

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 11 of article 1 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 11. Vacancies in executive offices. (a) When the office of governor is vacant, the lieutenant governor shall become governor. In the event of the disability of the governor, the lieutenant governor shall assume the powers and duties of governor until the disability is removed. The legislature shall provide by law for the succession to the office of governor should the offices of governor and lieutenant governor be vacant, and for the assumption of the powers and duties of governor during the disability of the governor, should the office of lieutenant governor be vacant or the lieutenant governor be disabled.

(b) (1) ~~When the office of secretary of state or attorney general is vacant, the governor shall fill the vacancy by appointment for the remainder of the term. If the secretary of state or attorney general is disabled, the governor shall name a person to assume the powers and duties of the office until the disability is removed~~ *or if the secretary of state or attorney general is disabled, the vacancy in either case shall be filled by a state party delegate convention of the party of the executive officer at the time of such officer's election, except as provided in paragraph (4).* The procedure for determining disability and the removal thereof shall be provided by law.

(2) *The convention shall be called by the state party chairperson. Such convention shall be convened within 21 days of notice that a vacancy has occurred or will occur. The delegates to the convention shall be the state party committee members. The officers of the convention shall be the officers of the state party committee. At such convention, the vote to fill such vacancy shall be taken. The election shall be by secret ballot, and the person elected shall be the person who receives the majority of all votes cast. If no person receives a majority of all votes cast on any ballot, the balloting shall continue until a person receives a majority of all the votes cast. Each state delegate of the party shall be entitled to vote. No state delegate shall be represented or vote by proxy. The*

convention may adopt such rules necessary to govern its procedure in making nominations, voting, counting and canvassing votes and for the conduct of any business that may properly be brought before the convention, except that such rules shall not be in conflict with the provisions of this section.

(3) After a person has been elected to fill the vacancy, the chairperson or vice-chairperson of the party committee shall execute a certificate, under oath, stating that such person has been duly elected to fill such vacancy. The chairperson or vice-chairperson shall transmit such certificate either by hand delivery by a person designated by the chairperson or vice-chairperson or by registered mail, return receipt requested, to the governor and a copy to the secretary of state. If transmitted by registered mail, such certificate and copy shall be mailed within 24 hours of the election, unless the day following the election is a Sunday or legal holiday, in which case, it shall be mailed by the next regular business day. Not later than seven days after the certificate is received in the office of the governor, the governor, or in the governor's absence, the lieutenant governor, shall fill the vacancy by appointing to the office of the secretary of state or the attorney general the person elected. In the event the governor or the lieutenant governor fails to appoint any person as required by this subsection after receiving a lawfully executed certificate, such person shall be deemed to have been appointed notwithstanding the governor's or lieutenant governor's failure to appoint such person. The person so appointed may qualify and enter upon the duties of the secretary of state or the attorney general immediately after appointment and shall serve for the unexpired term and until a successor is elected and qualified.

(4) If the secretary of state or the attorney general whose office will become or has become vacant was an independent when elected, the vacancy shall be filled by the governor, who shall appoint a suitable person to serve for the unexpired term and until a successor is elected and qualified."

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

"Explanatory statement. The purpose of this amendment is to replace the authority of the governor to fill vacancies by appointment in the offices of secretary of state and attorney general with an election for the filling of vacancies in those offices conducted at a convention of the state party delegates for the political party of the secretary of state or attorney general at the time of such officer's election, unless such officer was an independent candidate at the time of election, in which case, the governor shall make an appointment to fill the vacancy.

"A vote for this proposition would replace the authority of the governor to fill vacancies by appointment in the offices of secretary of state and attorney general with an election for the filling of

vacancies in those offices conducted at a convention of the state party delegates for the political party of the secretary of state or attorney general at the time of such officer's election, unless such officer was an independent candidate at the time of election, in which case, the governor shall make an appointment to fill the vacancy.

"A vote against this proposition would make no changes to the constitution with respect to filling vacancies in the offices of the secretary of state or attorney general and the current provision giving the governor authority to fill vacancies by appointment in those offices."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case the proposed amendment shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **SB 430**.

Federal and State Affairs: **SB 431, SB 432**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator McGinn introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1735—

A RESOLUTION recognizing February 2024 as American Heart Month and supporting efforts to raise awareness on the rise of cardiovascular disease as the world's leading cause of death and disability.

WHEREAS, More than 350,000 persons experience cardiac arrest outside of a hospital each year, and only about 1 in 10 survive; and

WHEREAS, More than 23,000 children under the age of 18 experience cardiac arrest outside of a hospital each year in the United States, and almost 40% of these are sports related; and

WHEREAS, There are effective ways to mitigate the rise of cardiovascular disease, such as promoting awareness and education, establishing cardiac emergency response plans and providing CPR education and automated external defibrillator (AED) training and accessibility; and

WHEREAS, About 70% of cardiac arrests that occur outside of a hospital happen at home; and

WHEREAS, Cardiopulmonary resuscitation (CPR), especially if performed immediately, can double or triple a person's chance of survival; and

WHEREAS, Only about 46% of those who experience cardiac arrest receive CPR

from persons close by while waiting for emergency responders to arrive; and

WHEREAS, The ability to properly perform CPR has encouraged more people to act when faced with a cardiac emergency and save more lives from cardiac arrest outside of a hospital; and

WHEREAS, There is an urgent need for a greater number of people to take action and immediately respond to cardiac arrest events by calling 911, so that high-quality CPR using AED may be administered as soon as possible; and

WHEREAS, CPR is a lifesaving skill that most people, including children as young as age nine, can learn; and

WHEREAS, The American Heart Association has set a goal of doubling cardiac arrest survival rates by 2030 by turning bystanders into lifesavers, so that everyone, everywhere, may be prepared and empowered to become a vital link in the chain of survival and provide CPR in response to a cardiac emergency; and

WHEREAS, Currently, 90% of those who experience cardiac arrest outside of a hospital do not survive, in part because they do not receive CPR more than half of the time: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the month of February as American Heart Month and support efforts to raise awareness on the rise of cardiovascular disease as the world's leading cause of death and disability; and

Be it further resolved: That we congratulate the American Heart Association on its 100th anniversary and urge every household to help in the ongoing fight against heart disease and stroke by learning CPR and joining a growing nation of lifesavers; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator McGinn.

On emergency motion of Senator McGinn **SR 1735** was adopted by voice vote.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

2023 Annual Report, Kansas Guardianship Program

MESSAGE FROM THE HOUSE

Announcing passage of **Sub HB 2103**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2103 was thereupon introduced and read by title.

CHANGE OF REFERENCE

The President withdrew **SB 330** from the Committee on **Ways and Means**, and referred the bill to the Committee on **Commerce**.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, February 2, 2024.

Journal of the Senate

NINETEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 2, 2024, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 445, AN ACT concerning first responders; relating to law enforcement officers and emergency medical service providers; requiring training thereof; establishing minimum training requirements related to dementia care, by Committee on Federal and State Affairs.

SB 446, AN ACT concerning real property; relating to certain lands; prohibiting the acquisition of ownership interests in such lands by foreign nationals, foreign businesses and foreign governments unless authorized by the state land council; creating the state land council and providing for its membership, powers and duties; amending K.S.A. 2023 Supp. 60-4104 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 435**, **SB 436**.

Education: **SB 437**, **SB 438**.

Federal and State Affairs: **SCR 1617**.

Financial Institutions and Insurance: **Sub HB 2103**.

Judiciary: **SB 439**, **SB 440**, **SB 441**, **SB 442**, **SB 444**.

Public Health and Welfare: **SB 433**, **SB 434**.

Utilities: **SB 443**.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SB 15 reported correctly enrolled, properly signed and presented to the Governor on February 2, 2024.

SR 1734, **SR 1735** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 2, 2024.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 29 through February 2, 2024:

Senator Bowers: congratulating Landen Cleveland on receiving the 2024 NWF Kansas Officer of the Year Award;

Senator Faust Goudeau: celebrating the pastoral anniversary of Bishop Mark Gilkey and First Lady Virдена Gilkey;

Senator Kerschen: congratulating Brenda Matson on receiving the 2023 Natural Resources Conservation Service Earth Team Volunteer Award; and

Senator Pittman: celebrating Clarence Felder's 100th Birthday, congratulating the Leavenworth High School JROTC Raiders Program for their achievements at the US Army National Raider competition.

On motion of Senator Kloos, the Senate adjourned until 2:30 p.m., Monday, February 5, 2024.

Journal of the Senate

TWENTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 5, 2024, 2:30 p.m.

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

The roll was called with 37 senators present.

Senators Claeys, Holland and Ware were excused.

The Vice President introduced Reverend Shelley Page, Developmental Minister at the Unitarian Universalist Congregation of Lawrence, to deliver the invocation:

Let us pray in the name of the One, who is called by many names, the best of which is Love. We gather in gratitude for the great gift that is Kansas, a state richly blessed with natural abundance.

We are grateful for our land, the fertile soil that nourishes the nation with its grains and prairie beauty that touches our souls. We are thankful for our water, stored deep in the earth and raining down from above, flowing freely, serving the needs of creation and people. We are appreciative of our wide open skies with energetic winds, solar bounty, and sunset magic. We are grateful for all the plants and creatures who make a home here or pass through here on their long migrations.

We are thankful for all the diverse wonderful people of this great state who live, work, study and play together; people born here and those who have made Kansas their home.

We pray that the members of this Senate keep in mind these rich blessings as you serve the people, the land, the water, the air and the marvelous complex interdependence that is Kansas. It is a sacred trust to hold this state with all its bounty of natural abundance and human diversity. May your work together on behalf of Kansans be rooted in love, justice, equity and stewardship.

Blessings for your world today and throughout this session. In the name of all that is holy, we say amen.

The Pledge of Allegiance was led by Vice President Wilorn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 447, AN ACT concerning the state treasurer; relating to powers, duties and responsibilities thereof; directing the state treasurer to establish a mortgage insurance program for certain individuals; establishing the homes for every local protector, educator and responder act of Kansas, by Committee on Federal and State Affairs.

SB 448, AN ACT concerning competency to stand trial; establishing procedures in the Kansas code of procedure for municipal courts related to determination of an

accused person's competency to stand trial; authorizing a municipal judge to order an examination; requiring dismissal of criminal charges if the examination shows that an accused person is incompetent to stand trial; requiring the secretary for aging and disability services to reimburse counties for the costs of keeping such persons in the custody of a county jail awaiting examination, evaluation or treatment; amending K.S.A. 19-1936 and repealing the existing section, by Committee on Judiciary.

SB 449, AN ACT concerning health and healthcare; relating to liability protections for emergency care by healthcare providers; expanding the definition of healthcare provider to include individuals trained in cardiopulmonary resuscitation, automated external defibrillator or emergency cardiovascular care; amending K.S.A. 2023 Supp. 65-2891 and repealing the existing section, by Committee on Judiciary.

SB 450, AN ACT concerning Alzheimer's disease; establishing the Kansas Alzheimer's disease advisory council; relating to duties of the Kansas department for aging and disability services, by Committee on Public Health and Welfare.

SB 451, AN ACT creating the Dwayne Peaslee technical training center district act; authorizing submission of the question of creating the Dwayne Peaslee technical training center district to the voters of Douglas county; providing for the establishment of such district, if approved, and the powers and duties of its board of directors; authorizing such district to levy a tax not exceed 0.5 mills on the tangible taxable property of the district, by Committee on Assessment and Taxation.

SB 452, AN ACT concerning taxation; relating to the homestead property tax refund act; excluding certain school district bond and interest levies from increased property tax homestead refund claim amounts; amending K.S.A. 2023 Supp. 79-4508a and repealing the existing section, by Committee on Assessment and Taxation.

SB 453, AN ACT concerning taxation; relating to the homestead property tax refund act; excluding social security payments from household income; expanding eligibility related to increased property tax homestead property tax refund claims; amending K.S.A. 2023 Supp. 79-4502 and 79-4508a and repealing the existing sections, by Committee on Assessment and Taxation.

SB 454, AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for purchases of property and services by nonprofit organizations distributing food pursuant to a food distribution program on a charitable basis; amending K.S.A. 2023 Supp. 79-3606 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:

Federal and State Affairs: **SB 446**.

Ways and Means: **SB 445**.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 368**; **HB 2446**, be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, February 6, 2024.

Journal of the Senate

TWENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 6, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 37 senators present.
Senators Claeys, Ryckman and Ware were excused.
Invocation by Reverend Cecil T. Washington:

How To Know The Way To Go
Proverbs 3:5-7

Heavenly Father, You daily continue to bless us and protect us. When we look at the works of service You've assigned to us, we need the confidence of knowing that You oversee and manage everything we do.

Lord, You cautioned us in Proverbs 3:5-7 that when it comes to decision making, we should always be asking for Your guidance. You counseled us to trust You that You'd help us in making sense of things. And Lord, that's really what we need because a lot of things are not making sense. Please deliver us from being impressed with self, feeling that personal independent thinking should be sufficient. You've created us with a need for one another. Even when others oppose us, You want us to listen to them.

So Lord, help us to trust You for the answers we need. When we do that, You said You'd step in and make clear the path we're to travel. And when the work in these halls is done, let it be obvious that it was Your blessed influence that prevailed. I'm thanking You Lord for what You enable us to do.

In the Name of Him Who Loved us to death, 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 455, AN ACT concerning electric public utilities; relating to the state corporation commission; authorizing electric public utilities to retain certain electric generating facilities in the utility's rate base; amending K.S.A. 2023 Supp. 66-1239 and repealing the existing section, by Committee on Utilities.

SB 456, AN ACT concerning public utilities; relating to the state corporation commission; extending the timelines for the state corporation commission to make a determination regarding rate-making treatment for electric generating or transmission facilities; establishing a rebuttable presumption that a fossil fuel-fired electric generating unit shall not be retired; prohibiting the commission from authorizing the

retirement of such an electric generating unit unless the utility overcomes such presumption with sufficient evidence; requiring the commission to report annually on requests to retire such units; amending K.S.A. 2023 Supp. 66-1239 and repealing the existing section, by Committee on Utilities.

SB 457, AN ACT concerning public utilities; relating to eminent domain; prohibiting public utilities from exercising eminent domain for the siting or placement of solar facilities; amending K.S.A. 2023 Supp. 66-104 and repealing the existing section, by Committee on Utilities.

SB 458, AN ACT concerning seizure and forfeiture of property; relating to the Kansas standard asset seizure and forfeiture act; specifying that certain drug offenses do not give rise to forfeiture under the act; requiring courts to make a finding that forfeiture is not excessive; restricting actions prior to commencement of forfeiture proceedings; requiring probable cause affidavit filing and review to commence forfeiture proceedings; increasing the burden of proof required to forfeit property to clear and convincing evidence; providing persons involved in forfeiture proceedings the ability to request a jury trial; authorizing courts to order payment of attorney fees and costs for certain claimants; requiring the Kansas bureau of investigation to submit forfeiture fund financial reports to the legislature; amending K.S.A. 2023 Supp. 60-4104, 60-4106, 60-4107, 60-4109, 60-4111, 60-4112, 60-4113, 60-4114, 60-4116, 60-4117 and 60-4127 and repealing the existing sections, by Committee on Judiciary.

SB 459, AN ACT concerning motor carriers; relating to the Kansas uniform commercial drivers' license act; authorizing the director of vehicles to adopt rules and regulations for participation in the federal motor carrier safety administration's drug and alcohol clearinghouse program; disqualifying a person's commercial driving privileges when such person has violated or is in noncompliance with the requirements of the clearinghouse, by Committee on Transportation.

SB 460, AN ACT concerning public health; relating to anaphylaxis; requiring the secretary of health and environment to adopt anaphylaxis prevention and response policies for schools and day care facilities; setting guidelines and procedures therefor, by Committee on Public Health and Welfare.

SB 461, AN ACT concerning health and healthcare; relating to laser hair removal; creating the laser hair removal act; restricting the practice thereof to certain medical professionals, by Committee on Public Health and Welfare.

SB 462, AN ACT concerning motor carriers; relating to the Kansas uniform commercial drivers' license act; authorizing the director of vehicles to waive the knowledge and skills test for driving a commercial vehicle for an applicant that provides evidence that such applicant qualifies for the military even exchange program for a commercial driver's license; amending K.S.A. 8-2,133 and repealing the existing section, by Committee on Transportation.

SB 463, AN ACT concerning the judicial council; changing the membership from four resident lawyers without regard to congressional district residency to one resident lawyer from each congressional district; exempting members appointed prior to July 1, 2024; amending K.S.A. 20-2201 and repealing the existing section, by Committee on Judiciary.

SB 464, AN ACT creating the Kansas minority, woman, disadvantaged and service-disabled veteran small business enterprise development act; providing for development of such business enterprises through a program to facilitate and increase participation

by such business enterprises in providing goods and services to state agencies and postsecondary educational institutions; establishing the office of minority and women business development within the department of commerce to develop such program and assist state agencies and postsecondary educational institutions to establish plans and goals for such participation; providing for an advisory committee on certified small business enterprises that may be established by the assistant director of such office; authorizing the adoption of rules and regulations; providing for penalties for violations of the provisions of the act or rules and regulations adopted pursuant to the act, by Senator Faust-Goudeau.

SB 465, AN ACT concerning education; relating to school districts; authorizing school districts to levy an annual levy of up to two mills for the purposes of school building safety, security and compliance with the Americans with disabilities act; including such levy in the capital outlay state aid determination for school districts; amending K.S.A. 12-1770a and 72-53,126 and repealing the existing sections, by Committee on Education.

SB 466, AN ACT concerning sales taxation; relating to collection of tax; permitting purchasers to pay the tax on sales of trailers to the director of taxation or county treasurer instead of being collected by retailers; amending K.S.A. 79-3604 and repealing the existing section, by Committee on Assessment and Taxation.

SB 467, AN ACT concerning economic development; relating to tourism; increasing the membership of the council on travel and tourism appointed by the governor and updating the house committee assignment required for house members from the committee on agriculture and natural resources to the committee on commerce, labor and economic development; reducing the required allocation of funds from the department of commerce's matching grant program for the promotion of tourism to public and nonprofit entities and removing the restriction on the percentage of such funds granted to a single entity; amending K.S.A. 2023 Supp. 32-1410 and 32-1420 and repealing the existing sections, by Committee on Commerce.

SB 468, AN ACT concerning property tax; relating to tax levy rates; prohibiting cities and counties that grant or approve certain property tax exemptions or tax increment financing from exceeding their revenue neutral rates; amending K.S.A. 2023 Supp. 79-2988 and repealing the existing section, by Committee on Assessment and Taxation.

SB 469, AN ACT concerning education; establishing the sunflower education equity act; providing savings accounts for students; establishing the sunflower education equity scholarship fund; amending K.S.A. 2023 Supp. 72-3120 and repealing the existing section, by Committee on Education.

SB 470, AN ACT concerning postsecondary education; relating to the Kansas promise scholarship act; including Wichita technical institute as an eligible postsecondary educational institution in such act; amending K.S.A. 2023 Supp. 74-32,271 and 74-32,274 and repealing the existing sections, by Committee on Education.

SB 471, AN ACT concerning motor vehicles; prohibiting any state agency, city or county from regulating or restricting the use or sale of motor vehicles based on the energy source used; allowing the state agency, city or county to establish motor vehicle purchase policies for such state agency, city or county, by Committee on Federal and State Affairs.

SB 472, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of unlawful sexual communication and providing criminal penalties therefor, by Committee on Federal and State Affairs.

SB 473, AN ACT concerning crimes, punishment and criminal procedure; relating to the Kansas code of criminal procedure; authorizing a notice to appear that meets certain requirements to serve as a lawful complaint; amending K.S.A. 22-2202 and 22-2408 and repealing the existing sections, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 451, SB 452, SB 453, SB 454.**

Financial Institutions and Insurance: **SB 447.**

Judiciary: **SB 448.**

Public Health and Welfare: **SB 449, SB 450.**

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senators Bowers, Alley, Baumgardner, Billinger, Blasi, Dietrich, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Masterson, McGinn, Petersen, Pettey, Reddi, Ryckman, Straub, Sykes, Thompson and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1736—

A RESOLUTION congratulating and commending the National Conference of State Legislatures on its 50th anniversary in 2025.

WHEREAS, The National Conference of State Legislatures (NCSL) was founded in 1975 and has evolved during the past half-century to become the premier organization solely dedicated to serving state and territorial legislators and legislative staff; and

WHEREAS, NCSL was created from the merger of three organizations that served or represented state legislatures and shared the belief that legislative service is one of democracy's worthiest pursuits; and

WHEREAS, NCSL is a bipartisan organization with three objectives, namely, to advance the effectiveness, independence and integrity of state legislatures, to foster interstate communication and cooperation and to ensure that states have a strong, cohesive voice in the federal system; and

WHEREAS, Our nation's state legislatures are America's laboratories of democracy and have continually shown that they are the bodies to tackle emerging challenges and state legislatures are where people from diverse backgrounds, representing diverse communities, can come together and find a common ground; and

WHEREAS, NCSL has facilitated the exchange of ideas, provided critical research and information and encouraged a rigorous review of complex issues confronting our communities, states and nation; and

WHEREAS, NCSL strives to strengthen the bonds between America's state legislatures and the international community: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the National Conference of State Legislatures on its 50th anniversary in 2025; and

Be it further resolved: That we recognize and commend the National Conference of State Legislatures for their superb leadership and commitment to the legislative

institution; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Bowers.

On emergency motion of Senator Bowers **SR 1736** was adopted by voice vote.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2545**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2545 was thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Your Committee on **Education** 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:

Member, Kansas Board of Regents: K.S.A.74-3202a

Jonathan Rolph, to fill a term expiring on June 30, 2027.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, February 7, 2024.

Journal of the Senate

TWENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 7, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 39 senators present.
Senator Ware was excused.
Invocation by Reverend Cecil T. Washington.

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 474, AN ACT concerning cities; relating to initiation of ordinances by petition; eliminating the administrative ordinance limitation; amending K.S.A. 12-3013 and repealing the existing section, by Committee on Federal and State Affairs.

SB 475, AN ACT concerning education; relating to school districts; eliminating school district open enrollment requirements; authorizing school districts to determine nonresident student enrollment; amending K.S.A. 2023 Supp. 72-3122, 72-3124, 72-3127 and 72-5132 and repealing the existing sections; also repealing K.S.A. 2023 Supp. 72-3123 and 72-3126, by Committee on Federal and State Affairs.

SB 476, AN ACT concerning traffic regulations; creating a crime for operating a motor vehicle at a speed of 100 miles per hour or more and providing a penalty therefor; amending K.S.A. 8-255 and 8-2116 and repealing the existing sections, by Committee on Transportation.

SB 477, AN ACT concerning the division of vehicles; relating to drivers' licenses and identification cards; providing for digital drivers' licenses and digital identification cards and regulating the use therefor, by Committee on Transportation.

SB 478, AN ACT concerning employment security law; relating to the definition of benefit year, temporary unemployment, wages, statewide average annual wage and statewide average weekly wage; referencing certain new definitions for purposes of the annual determination by the secretary of the maximum weekly benefit amount; requiring electronic filing of wage reports, contribution returns and payments and interest assessments for employers with 25 or more employees; establishing minimum qualifications for candidates for membership on the employment security board of review and initial review of such candidates by the director of unemployment; extending when the mandatory combination of rates and the establishment of a new account due to a business acquisition must occur from the beginning of the following quarter to the beginning of the following year; making certain changes to the schedules

governing employer contribution rates; removing obsolete language pertaining to the employment security interest assessment fund and abolishing such fund; requiring the secretary to create an audit process within the new unemployment insurance information technology system to permit employers to submit reports regarding work search, the my reemployment plan and claimants who do not provide notification or appear for scheduled interviews; providing for notices by the secretary to active employers regarding work search noncompliance reporting options; confirming the legislative coordinating council's authority to extend the new unemployment insurance information technology system's implementation date retroactively and as often as deemed appropriate by the council; requiring the secretary to notify the council of the need for an extension; authorizing the secretary to extend temporary unemployment for limited periods upon request by employers and allowing for additional temporary unemployment when requested by employers engaged in certain industries; requiring the secretary to annually post on the secretary's website certain additional calculations and data; changing the timing of employer benefit charge notices from annually to quarterly; removing the exemption for benefit charges less than \$100; amending K.S.A. 44-704, 44-705, 44-709, 44-710, 44-710b, 44-717, 44-771, 44-772 and 44-774 and K.S.A. 2023 Supp. 44-703, 44-710a and 44-775 and repealing the existing sections, by Committee on Commerce.

SB 479, AN ACT concerning education; relating to teachers; defining teachers for purposes of the Kansas public employees retirement system; transferring teachers from the Kansas public employees retirement system act of 2015 to the Kansas public employees retirement system act of 2009; amending K.S.A. 74-49,301 and repealing the existing section, by Senators Kloos, Baumgardner, Blasi, Erickson and Thompson.

SB 480, AN ACT concerning taxation; relating to the state board of tax appeals; authorizing teleconference or video conference hearings in the small claims and expedited hearings division; amending K.S.A. 2023 Supp. 74-2433f and repealing the existing section, by Committee on Assessment and Taxation.

SB 481, AN ACT concerning Kansas state university; renaming Kansas state university polytechnic campus as Kansas state university - Salina; requirements for admission and credential and degree programs; amending K.S.A. 74-3209, 76-156a, 76-205, 76-213, 76-218, 76-751, 76-754, 76-756 and 76-7,126 and repealing the existing sections, by Committee on Ways and Means.

SB 482, AN ACT concerning property taxation; relating to tax levy rates; providing that county clerks are not required to send revenue neutral rate notices to property owners of exempt property; amending K.S.A. 2023 Supp. 79-2988 and repealing the existing section, by Committee on Ways and Means.

SB 483, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of interference with a security camera in a correctional institution and providing criminal penalties therefor, by Committee on Judiciary.

SB 484, AN ACT concerning property taxation; relating to exemptions; providing exemptions for certain personal property including watercraft, marine equipment, off-road vehicles, motorized bicycles and certain trailers; amending K.S.A. 79-213 and 79-5501 and repealing the existing sections, by Committee on Ways and Means.

SB 485, AN ACT concerning education; relating to the tax credit for low income students scholarship program; authorizing students attending public schools with low proficiency scores and certain private elementary and secondary students to participate

in such program; amending K.S.A. 72-4351 and K.S.A. 2023 Supp. 72-4352 and 72-5132 and repealing the existing sections, by Committee on Education.

INTRODUCTION OF SENATE RESOLUTIONS

SR 1737, A RESOLUTION affirming Texas Governor, Greg Abbott's right to defend the state of Texas from unrestrained illegal immigration, by Senators Masterson, Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren and Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 466, SB 468**.

Commerce: **SB 464, SB 467; HB 2545**.

Education: **SB 465, SB 469, SB 470**.

Federal and State Affairs: **SB 471**.

Judiciary: **SB 458, SB 463, SB 472, SB 473**.

Public Health and Welfare: **SB 460, SB 461**.

Transportation: **SB 459, SB 462**.

Utilities: **SB 455, SB 456, SB 457**.

REFERENCE OF SENATE RESOLUTIONS

The President referred **SR 1737** to the Calendar under the heading of **General Orders**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator Alley introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. **1738**—

A RESOLUTION recognizing February 7, 2024, as JAG-K Day at the Capitol.

WHEREAS, Jobs for America's Graduates-Kansas (JAG-K) is a Section 501(c)(3) not-for-profit organization that partners with public schools, communities and employers to help students overcome challenges and prepare for successful futures; and

WHEREAS, In 2023-2024, there are 112 JAG-K programs, including focused programming for system-involved youth unable to participate in the traditional school-to-career programs; and

WHEREAS, JAG-K is an evidence-based program with objective performance measures; and

WHEREAS, In a small group-classroom setting, students explore career opportunities and learn the skills necessary to successfully transition to postsecondary education, military service, or the workforce following their graduation; and

WHEREAS, JAG-K has a 95% graduation rate statewide, and 85% of JAG-K graduates are full-time participants in post-secondary education, military service, or the workforce 12 months after their senior year; and

WHEREAS, JAG-K works with students in foster care, and their graduation rate is more than 20% higher than the state average rate for students in foster care not in a JAG-K program; and

WHEREAS, Nationally, JAG graduates are 230% more likely to be employed than peers not in a JAG program: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize February 7, 2024, as JAG-K Day at the Capitol; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Alley.

On emergency motion of Senator Alley **SR 1738** was adopted by voice vote.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2495**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2495 was thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 347** be passed.

Committee on **Commerce** recommends **SB 430** be passed.

Committee on **Education** recommends **SB 360** be amended on page 2, in line 7, by striking "council" and inserting "committee"; in line 10, by striking "council" and inserting "committee"; in line 13, by striking "council" and inserting "committee";

On page 1, in the title, in line 5, by striking "council" and inserting "committee"; and the bill be passed as amended.

Also, **SB 386** be amended on page 3, in line 2, by striking "except as provided in paragraph (4),";

On page 4, by striking all in lines 19 through 22;

On page 1, in the title, by striking all in line 4; in line 5, by striking all before "amending"; and the bill be passed as amended.

SB 387 be amended on page 2, in line 12, after "process" by inserting "on or before July 30 of each year.

(6) If an application by a nonresident student is denied by the school district, the parent or person acting as parent of such student may appeal such denial to the school district board of education. If the appeal is unsuccessful, the parent or person acting as parent may appeal to the commissioner of education who shall conduct a hearing on the appeal in accordance with the Kansas administrative procedure act";

On page 3, in line 24, after "(j)" by inserting "Neither a resident school district nor"; also in line 24, by striking "not"; in line 25, after "students" by inserting ", unless otherwise required by applicable law";

On page 1, in the title, in line 3, after the semicolon by inserting "allowing parents to appeal the denial of an open enrollment application;"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 363** be passed.

Your Committee on **Utilities** 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:

Commissioner, State Corporation Commission: K.S.A. 74-601

Andrew French, to fill a term expiring on March 15, 2028

FEBRUARY 7, 2024

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On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 8, 2024.

Journal of the Senate

TWENTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 8, 2024, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 35 senators present.
Senators Blasi, Doll, Steffen, Thompson and Ware were excused.
Invocation by Reverend Cecil T. Washington:

In God's Presence Expressing Thanksgiving
Psalm 100:4

Heavenly Father, it was in the 100th number of Psalms, verse 4, that the Psalmist spoke of us entering Your presence with thanksgiving. After thinking about that Lord, we should realize that we're always in Your presence. But we're not always expressing thankfulness. So, here's to You...

Thank You Lord. Thank You Lord. Thank You Lord.
I just want to thank You Lord. You've Been So Good.
You've Been So Good. You've Been So Good.
I just want to thank You Lord;

To God be the Glory, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 486, AN ACT concerning economic development; relating to fees assessed by the department of commerce for applications by businesses for certain economic development incentive programs; providing for a fee based on a certain percentage of the total incentive package within a specified range instead of a flat fee; amending K.S.A. 74-50,225 and repealing the existing section, by Committee on Commerce.

SB 487, AN ACT concerning emergency communication services; relating to the Kansas 911 act; authorizing counties to contract with other counties to share services of 911 public safety answering points; authorizing distributions of 911 fee moneys to counties for such purposes; amending K.S.A. 12-5364, 12-5368, 12-5374, 12-5375 and 12-5377 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 488, AN ACT concerning the attorney general; relating to the office of the inspector general and the powers, duties and responsibilities thereof; expanding the power of the inspector general to investigate and audit all state cash, food and health

assistance programs; amending K.S.A. 75-7427 and repealing the existing section, by Committee on Public Health and Welfare.

SB 489, AN ACT concerning children and families; relating to incarcerated expectant mothers; directing the department of corrections to establish a correctional center nursery; requiring the secretary of corrections to establish correctional nursery center policies and procedures; relating to the Kansas family law code; amending the factors considered in determination of legal custody, residency or parenting time; relating to the revised Kansas code for care of children; amending K.S.A. 23-3203 and 38-2276 and K.S.A. 2023 Supp. 38-2202 and repealing the existing sections; also repealing K.S.A. 2023 Supp. 38-2202a, by Committee on Public Health and Welfare.

SB 490, AN ACT concerning health professions and practices; related to optometry; modifying certain provisions of the optometry law related to scope of practice, definitions and credentialing requirements; amending K.S.A. 65-1501, 65-1501a, 65-1509a, 65-1512 and 74-1504 and repealing the existing sections; also repealing K.S.A. 65-1514 and 74-1505, by Committee on Public Health and Welfare.

SB 491, AN ACT concerning criminal history and record checks; relating to the Kansas bureau of investigation; standardizing fingerprinting requirements and making conforming amendments across statutes that authorize fingerprinting; defining people to be fingerprinted; amending K.S.A. 2-3901, 2-3902, 2-3906, 2-3907, 2-3911, 7-127, 8-2,142, 9-508, 9-509, 9-513e, 9-1719, 9-1722, 9-2201, 9-2209, 9-2301, 9-2302, 12-1,120, 12-1679, 16a-6-104, 17-2234, 19-826, 39-969, 39-970, 39-2009, 40-5502, 40-5504, 41-311b, 46-1103, 46-3301, 65-503, 65-1501a, 65-1505, 65-1696, 65-2401, 65-2402, 65-2802, 65-2839a, 65-28,129, 65-2901, 65-3503, 65-4209, 65-5117, 73-1210a, 74-1112, 74-2113, 74-4905, 74-50,182, 74-50,184, 74-5605, 74-5607, 74-7511, 74-8704, 74-8705, 74-8763, 74-8769, 74-8803, 74-8805, 74-8806, 74-9802, 74-9804, 74-9805, 75-712, 75-7b01, 75-7b04, 75-7b21, 75-7e01, 75-7e03, 75-3707e, 75-4315d, 75-5133c, 75-5156, 75-53,105, 75-5609a and 75-7241 and K.S.A. 2023 Supp. 40-4905, 40-5505, 41-102, 50-6,126, 50-1128, 58-3035, 58-3039, 58-4102, 58-4127, 58-4703, 58-4709, 65-516, 65-1120, 65-1626, 65-2924, 65-3407, 65-6129, 74-5602, 74-8702, 74-8802, 74-8804, 75-7c02, 75-7c05, 75-5393a, 75-5393c and 75-5397f and repealing the existing sections, by Committee on Judiciary.

SB 492, AN ACT concerning alcoholic beverages; removing the prohibition on transportation of alcoholic beverages in opened containers and on drinking or consuming alcoholic liquor inside vehicles while on the public streets, alleys, roads or highways; amending K.S.A. 8-257, 8-1026, 8-2106, 8-2204, 12-4509, 21-5918 and 21-6602 and K.S.A. 2023 Supp. 41-719 and repealing the existing sections; also repealing K.S.A. 8-1599, by Committee on Judiciary.

SB 493, AN ACT concerning driving; relating to ignition interlock devices; requiring manufacturers of such devices to pay fees to the highway patrol for the administration of the ignition interlock program; creating the IID fee program fund; amending K.S.A. 8-1016 and repealing the existing section, by Committee on Judiciary.

SB 494, AN ACT concerning adoption; relating to the expenses thereof; enacting the adoption savings account act; allowing individuals to establish adoption savings accounts with certain financial institutions; providing eligible expenses, requirements and restrictions for such accounts; requiring the secretary of revenue to adopt certain rules and regulations; granting nonexclusive marketing authority to the state treasurer; establishing addition and subtraction modifications for contributions to such accounts

under the Kansas income tax act; amending K.S.A. 2023 Supp. 79-32,117 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 480, SB 482, SB 484.**

Commerce: **SB 478.**

Education: **SB 475, SB 479, SB 485.**

Federal and State Affairs: **SB 474.**

Judiciary: **SB 483.**

Transportation: **SB 476, SB 477.**

Ways and Means: **SB 481; HB 2495.**

MESSAGES FROM THE GOVERNOR

SB 15 approved on February 8, 2024

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **SB 318** be passed.

Also, **SB 379** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **SB 349** be passed.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SR 1736, SR 1738 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 8, 2024.

On motion of Senator Alley, the Senate adjourned pro forma until 12:00 p.m., Friday, February 9, 2024.

Journal of the Senate

TWENTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 9, 2024, 12:00 p.m.

The Senate was called to order pro forma by Senator Rick Billinger.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 495, AN ACT concerning financial institutions; relating to the Kansas mortgage business act; uniform consumer credit code; pertaining to certain definitions, terms and conditions contained therein; modifying consumer loan finance charges and repayment terms; record requirements; credit card surcharge; definition of earnings and days; increasing the threshold for certain consumer loans and leases; origination fees for non-real estate transactions; clarifying license requirements to make supervised loans; exempting supervised loan license form filing notifications; transferring mortgage provisions contained in the Kansas consumer credit code to the Kansas mortgage business act; clarifying entities exempt for licensing; amending K.S.A. 9-2201, 9-2202, 9-2203, 9-2208, 9-2209, 9-2212, 9-2216, 9-2216a, 9-2220, 16-207, 16-207d, 16a-1-101, 16a-1-102, 16a-1-103, 16a-1-104, 16a-1-107, 16a-1-108, 16a-1-109, 16a-1-201, 16a-1-202, 16a-1-301, 16a-2-103, 16a-2-104, 16a-2-201, 16a-2-202, 16a-2-301, 16a-2-302, 16a-2-303, 16a-2-304, 16a-2-308, 16a-2-309, 16a-2-310, 16a-2-401, 16a-2-402, 16a-2-403, 16a-2-404, 16a-2-501, 16a-2-502, 16a-2-504, 16a-2-505, 16a-2-506, 16a-2-507, 16a-2-508, 16a-2-510, 16a-3-201, 16a-3-202, 16a-3-203, 16a-3-204, 16a-3-205, 16a-3-206, 16a-3-208, 16a-3-209, 16a-3-301, 16a-3-302, 16a-3-303, 16a-3-304, 16a-3-305, 16a-3-306, 16a-3-307, 16a-3-308, 16a-3-309, 16a-3-402, 16a-3-403, 16a-3-404, 16a-3-405, 16a-4-102, 16a-4-104, 16a-4-105, 16a-4-106, 16a-4-107, 16a-4-108, 16a-4-109, 16a-4-110, 16a-4-111, 16a-4-112, 16a-4-201, 16a-4-202, 16a-4-203, 16a-4-301, 16a-4-304, 16a-5-103, 16a-5-107, 16a-5-108, 16a-5-111, 16a-5-201, 16a-5-203, 16a-5-301, 16a-6-104, 16a-6-105, 16a-6-106, 16a-6-108, 16a-6-109, 16a-6-110, 16a-6-111, 16a-6-112, 16a-6-113, 16a-6-115, 16a-6-201, 16a-6-202, 16a-6-203, 16a-6-401, 16a-6-403 and 40-1209 and repealing the existing sections; also repealing K.S.A. 16a-1-303, 16a-2-101, 16a-2-102, 16a-2-303a, 16a-2-307, 16a-3-101, 16a-3-102, 16a-3-203a, 16a-3-207, 16a-3-308a, 16a-4-101, 16a-4-103, 16a-5-101, 16a-5-102, 16a-5-110, 16a-5-112, 16a-6-101, 16a-6-102, 16a-6-117, 16a-6-402, 16a-6-404, 16a-6-405, 16a-6-406, 16a-6-407, 16a-6-408, 16a-6-409, 16a-6-410, 16a-6-414, 16a-9-101 and 16a-9-102, by Committee on Financial Institutions and Insurance.

SB 496, AN ACT concerning health and healthcare; relating to the practice of naturopathy; licensure and regulation of naturopathic doctors; expanding the scope of practice of naturopathic doctors; specifying continuing education requirements;

increasing the amount of required professional liability insurance; amending K.S.A. 65-7201, 65-7205, 65-7207, 65-7208, 65-7209, 65-7214 and 65-7217 and K.S.A. 2023 Supp. 65-1626, 65-4101 and 65-7202 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 497, AN ACT concerning economic development; establishing the Pike reservoir project district act; providing for the construction of a dam and a lake in Bourbon county, residential and commercial property development and water resource development therein; authorizing the establishment of a governing board for the project and the establishment of real property tax and sales tax increment financing districts for the purpose of financing the project costs; creating the Pike reservoir district sales tax fund and the Pike reservoir district sales tax refund fund; authorizing the creation of a special district fund for the purpose of paying project costs; authorizing the issuance of special obligation bonds and pay-as-you-go financing to pay project costs, by Committee on Federal and State Affairs.

SB 498, AN ACT concerning taxation; relating to income, privilege and premium tax credits; establishing a credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities; establishing a child tax credit; increasing the tax credit amount for adoption expenses and making the credit refundable; relating to sales and compensating use tax; providing for a sales tax exemption for purchases by pregnancy resource centers and residential maternity facilities; amending K.S.A. 79-32,202a and K.S.A. 2023 Supp. 79-3606 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 499, AN ACT concerning the department of health and environment; establishing the prevention of maternal mortality grant program within the department of health and environment; establishing the prevention of maternal mortality grant program fund and making transfers thereto; providing competitive grants to programs for the prevention of maternal mortality and severe maternal morbidity, by Committee on Public Health and Welfare.

SB 500, AN ACT concerning drivers' licenses; authorizing certain individuals to be eligible for restricted driving privileges; permitting individuals with restricted driving privileges to drive to and from dropping off or picking up children from school or child care; amending K.S.A. 8-286 and 8-2110 and repealing the existing sections, by Committee on Judiciary.

SB 501, AN ACT concerning state agencies; relating to early childhood; consolidating the children's cabinet and other child services under the Kansas office of early childhood; transferring the administration of child care facility licensing, child care subsidy and the parents as teachers program to the office; establishing the children's cabinet as a division in the office; amending K.S.A. 38-1901, 38-2103, 65-503, 65-504, 65-508, 65-512, 65-531, 72-4162, 72-4163, 72-4164 and 72-4166 and K.S.A. 2023 Supp. 65-516 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 494**.

Commerce: **SB 486**.

Federal and State Affairs: **SB 492**.

Judiciary: **SB 491, SB 493**.

Public Health and Welfare: **SB 488, SB 489, SB 490**.

Utilities: **SB 487**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 54**, as recommended by the Senate Committee on Assessment and Taxation to be passed as reported in the Journal of the Senate on February 16, 2023, be amended on page 1, in line 18, by striking "June 30" and inserting "December 31"; in line 22, by striking "June 30" and inserting "December 31"; in line 23, by striking "July 1, 2024" and inserting "January 1, 2025"; in line 28, by striking "July 1, 2024" and inserting "January 1, 2025"; in line 34, by striking "2022" and inserting "2023";

On page 2, in line 4, by striking "2022" and inserting "2023";

On page 3, in line 4, by striking "June 30" and inserting "December 31"; in line 5, by striking "July 1, 2024" and inserting "January 1, 2025";

On page 7, in line 25, by striking "2022" and inserting "2023"; in line 26, by striking "2022" and inserting "2023";

On page 1, in the title, in line 4, by striking "2022" and inserting "2023"; and the bill be passed as amended.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of February 5 through February 9, 2024:

Senator Faust Goudeau: honoring the life of Ta'Nayiah Kirksey.

On motion of Senator Alley, the Senate adjourned pro forma until 2:30 p.m., Monday, February 12, 2024.

Journal of the Senate

TWENTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 12, 2024, 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 502, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; terminating the Kansas public employees retirement system act of 2015; transferring the members of such act to the Kansas public employees retirement system act of 2009; amending K.S.A. 74-4916 and repealing the existing section; also repealing K.S.A. 74-49,301, 74-49,302, 74-49,303, 74-49,304, 74-49,305, 74-49,306, 74-49,307, 74-49,308, 74-49,309, 74-49,310, 74-49,311, 74-49,312, 74-49,313, 74-49,314, 74-49,315, 74-49,316, 74-49,317 and 74-49,318, by Committee on Federal and State Affairs.

SB 503, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against public morals; cruelty to animals; increasing the criminal penalties for knowingly and maliciously abandoning any animal in any place without making provisions for the proper care of the animal; amending K.S.A. 21-6412 and repealing the existing section, by Committee on Federal and State Affairs.

SB 504, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; prohibiting the use of any prone restraint on a juvenile who is in custody at a juvenile detention facility or juvenile correctional facility or being assessed as part of the juvenile intake and assessment system; amending K.S.A. 2023 Supp. 38-2302 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 497**.

Assessment and Taxation: **SB 498**.

Financial Institutions and Insurance: **SB 495**.

Judiciary: **SB 500**.

Public Health and Welfare: **SB 496, SB 499, SB 501**.

MESSAGES FROM THE GOVERNOR

The following appointments made by the Governor and submitted to the Senate for confirmation were introduced and their appointment letters read:

Jo Massey, 4th Congressional District Appointee, State Civil Service Board
(submitted January 26, 2024)

Virginia Powell, Member, State Board of Tax Appeals (submitted January 26, 2024)

Devin Sprecker, Member, State Board of Tax Appeals (submitted January 26, 2024)

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2490, HB 2522, HB 2530, HB 2531, HB 2532, HB 2578.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2490, HB 2522, HB 2530, HB 2531, HB 2532, HB 2578 were thereupon introduced and read by title.

On motion of Senator Longbine, the Senate adjourned until 2:30 p.m., Tuesday, February 13, 2024.

Journal of the Senate

TWENTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 13, 2024, 2:30 p.m.

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

The roll was called with 40 senators present.

Invocation by Reverend Cecil T. Washington:

Four Benefits of God's
Word 2 Timothy 3:16-17

Heavenly Father, in the aftermath of winning the Superbowl, there is so much we can thank You for. We just celebrated Kansas Day, Kansas' Birthday. Thank You for the sacred privilege of living in a free state; for the willing determination and resolve to maintain that freedom. You've blessed us to live in a state that enjoys numerous firsts; first in football, one of the first in basketball, in agricultural development, in fighting for the abolition of slavery.

And Lord, we thank You today, that unlike some other places in the world, we can live in a country and state where owning a Bible is not against the law. In fact, You said in 2 Timothy 3:16, all Scripture is given by inspiration of God, and is profitable for doctrine, teaching us what's right for reproof; teaching us where we went wrong, for correction getting us back right and for instruction in righteousness, to keep us going right, that the man or woman of God can be thoroughly equipped and capable for every good work You've called us to do.

Thank You Lord, for giving us the guidance of Your Word. And Lord, when in our humanness we resist, I pray that like a devoted parent You'll lovingly correct us. In Jesus' Name, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

SB 505, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; increasing the retirement benefit multiplier for members who are security officers of the department of corrections; amending K.S.A. 74-4915 and 74-49,205 and repealing the existing sections, by Committee on Ways and Means.

SB 506, AN ACT concerning real property; declaring current restrictive covenants that limit or prohibit the installation of solar panels on the rooftops of residential properties to be void and unenforceable; allowing homeowners

associations to adopt reasonable rules concerning solar panels that do not prohibit rooftop installation, by Committee on Federal and State Affairs.

SB 507, AN ACT concerning income tax; relating to the apportionment of income; providing for the apportionment of business income by the single sales factor; requiring the use of single sales factor pursuant to the multistate tax compact; amending K.S.A. 79-3269, 79-3271, 79-3279, 79-3287, 79-4301 and 79-4302 and repealing the existing sections; also repealing K.S.A. 79-3280, 79-3281, 79-3282, 79-3283 and 79-3284, by Committee on Assessment and Taxation.

SB 508, AN ACT concerning veterans; relating to forms of identification; permitting homeless veterans to use alternative forms of proof of identity and residency when applying for nondriver identification cards; eliminating fees for homeless veterans to obtain birth certificates and nondriver identification cards; amending K.S.A. 8-1324 and 65-2418 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 509, AN ACT concerning income taxation; relating to tax credits for education expenses; providing an education opportunity tax credit for taxpayers with eligible dependent children not enrolled in public school, by Committee on Assessment and Taxation.

SB 510, AN ACT concerning cities; requiring cities to reconnect property to the city sewer system upon request of the property owner; amending K.S.A. 12-631 and repealing the existing section, by Committee on Federal and State Affairs.

SB 511, AN ACT concerning alcoholic liquor; relating to microbreweries; permitting the sale of beer and hard cider manufactured by the licensee to retailers, public venues, clubs, drinking establishments, holders of temporary permits and caterers; allowing the sale of such beer and hard cider in unopened containers to consumers at special events monitored and regulated by the division of alcoholic beverage control; amending K.S.A. 41-308b, 41-1202, and 41-2642 and K.S.A. 2023 Supp. 41-1201 and repealing the existing sections, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No.1618—

By Senators Claeys, Alley, Baumgardner, Billinger, Blasi, Bowers, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson and Wilborn

A PROPOSITION to amend section 4 of the bill of rights of the constitution of the state of Kansas to recognize the right to bear arms as a fundamental right; clarifying that such right includes the possession and use of ammunition, firearm accessories and firearm components.

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

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 4 of the bill of rights of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 4. Individual right to bear arms; armies. (a) A person has the right to keep and bear arms for the defense of self, family, home and state, for lawful hunting and recreational use, and for any other lawful purpose, *and such right includes the possession and use of ammunition, firearm accessories and firearm components*; but standing armies, in

time of peace, are dangerous to liberty, and shall not be tolerated, and the military shall be in strict subordination to the civil power.

(b) The right to keep and bear arms is a natural and fundamental right. This right shall not be infringed. Any restriction of such right shall be subject to the strict scrutiny standard."

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

"Explanatory statement. This amendment recognizes that the right of the people of Kansas to keep and bear arms shall not be infringed and clarifies that the right includes the possession and use of ammunition, firearm accessories and firearm components. This amendment further recognizes that the right to keep and bear arms is a natural and fundamental right deserving the highest protection. Any restriction of the right to keep and bear arms shall be subject to the strict scrutiny standard.

"A vote for this proposition would recognize that the right of the people of Kansas to keep and bear arms shall not be infringed and clarify that the right includes the possession and use of ammunition, firearm accessories and firearm components. Such vote would also recognize the right to keep and bear arms as a natural and fundamental right. Any restrictions of such right would be subject to the strict scrutiny standard.

"A vote against this proposition would make no changes to the constitution of the state of Kansas with respect to the right to keep and bear arms."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case such proposed amendment shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Financial Institutions and Insurance: **SB 502; HB 2530, HB 2531, HB 2532.**

Judiciary: **SB 503, SB 504; HB 2490, HB 2522.**

Public Health and Welfare: **HB 2578.**

REFERENCE OF APPOINTMENTS

The following appointments made by the Governor and submitted to the Senate for confirmation, were referred to Committees as indicated:

Committee on Assessment and Taxation: **Virginia Powell**, State Board of Tax Appeals:

Committee on Assessment and Taxation: **Devin Sprecker**, State Board of Tax Appeals

Committee of Federal and State Affairs: **Jordan Massey**, State Civil Service Board

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Baumgardner in the chair.

On motion of Senator Baumgardner the following summary report was adopted:

SB 172, SB 347, SB 349 be passed.

SB 336 be passed by as amended by adoption of the committee report.

SR 1737 be adopted.

COMMITTEE OF THE WHOLE ACTIONS

SB 336 be amended by the adoption of the committee amendments.

A motion by Senator Sykes to amend **SR 1737** failed: on page 1, by striking all in lines 4 through 34;

On page 2, by striking all in line 1 and inserting:

"WHEREAS, The United States has been at an impasse regarding the southern border of our country for decades; and

WHEREAS, It is clear that our immigration system is broken and hurting public safety, the agriculture industry and our overall economy; and

WHEREAS, Kansas national guardsmen and women were previously sent to support the federal government's efforts to strengthen border protections; and

WHEREAS, In order to resolve difficult issues, such as the southern border, it is imperative to have everyone working together toward a solution; and

WHEREAS, Bipartisan support on issues of national security is necessary to resolve the challenges that we are facing; and

WHEREAS, The United States Senate has embraced this challenge and worked toward a compromise to strengthen border security; and

WHEREAS, Compromise is necessary to successful solutions, and we should support the efforts of the United States Senate";

Also on page 2, in line 2, by striking all after the colon; by striking all in lines 3 through line 9, and inserting "That we support the United States Senate's efforts to compromise and work together to strengthen security along the southern border; and

Be it further resolved: That the agreement our leaders at the federal level have reached on a bipartisan national security deal includes the toughest and fairest set of border reforms in decades; and

Be it further resolved: That such agreement will make our country safer, our border more secure and treat people fairly and humanely while preserving legal immigration, consistent with our values as a nation; and

Be it further resolved: That such agreement will make our asylum process more fair and efficient while still protecting the most vulnerable; and

Be it further resolved: That such agreement provides resources needed to secure the border by adding border patrol agents, immigration judges, asylum officers and cutting-edge inspection machines to help detect and stop the flow of fentanyl; and;

Also on page 2, in line 11, by striking all after "to"; by striking all in line 12; in line 13, by striking all before the period and inserting "the United States Congressional delegation from Kansas";

On page 1, in the title, in line 1, by striking all after "RESOLUTION"; in line 2, by striking all before the period and inserting "calling on the Kansas Congressional delegation to support the bipartisan immigration compromise that was negotiated in the United States Senate"

Upon the showing of hands a roll call vote was requested.

On roll call, the vote was: Yeas 11; Nays 29; Present and Passing 0; Absent or Not Voting 0.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** 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:

State Fire Marshal: K.S.A. 75-1510

Mark Engholm, to serve at the pleasure of the Governor

Committee on **Judiciary** recommends **SB 394**, **SB 419** be passed.

Also, **SB 292** be amended on page 1, in line 30, by striking "2024" and inserting "2025";

On page 2, in line 21, by striking "2022" and inserting "2023";

On page 10, in line 3, by striking "recieve" and inserting "receive";

On page 12, in line 10, by striking "2022" and inserting "2023";

On page 1, in the title, in line 7, by striking "2022" and inserting "2023"; and the bill be passed as amended.

SB 414 be amended on page 2, in line 22, before "Violation" by inserting "Except as provided further,."; in line 35, before "Violation" by inserting "Except as provided further,."; in line 42, by striking "less" and inserting "fewer";

On page 3, in line 1, by striking "less" and inserting "fewer"; in line 4, before "For" by inserting "Violation of subsection (a) with respect to material containing any quantity of a fentanyl-related controlled substance, distributed by dosage unit, is a:

(A) Drug severity level 4 felony if the number of dosage units was fewer

than 10;

(B) drug severity level 3 felony if the number of dosage units was at least 10 but fewer than 50;

(C) drug severity level 2 felony if the number of dosage units was at least 50 but fewer than 250; and

(D) drug severity level 1 felony if the number of dosage units was 250 or more.

(6)";

Also on page 3, in line 10, by striking "(d)(6)(B)" and inserting "(d)(7)(B)"; in line 27, before "100" by inserting "50 dosage units or more containing any quantity of a fentanyl-related controlled substance;

(4)";

Also on page 3, also in line 27, by striking "a" and inserting "any other";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

HB 2392, As Amended by House Committee, be amended on page 19, in line 27, by striking "2022" and inserting "2023";

On page 41, in line 41, by striking "2022" and inserting "2023";

On page 1, in the title, in line 13, by striking "2022" and inserting "2023"; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 162** be amended on page 3, in line 2, by striking "the" where it appears for the first time; also on page 3, in line 21, before "Nothing" by inserting "(a) The legislature declares it is the policy of this state to protect and encourage the production and processing of food and other agricultural products. As nonagricultural uses of property continue to move into agricultural and agribusiness areas, normal agricultural and agribusiness activities can find themselves subjected to public and private claims of nuisance. Therefore, it is the legislative intent of this act to protect agricultural and agribusiness activities from nuisance actions. As such,";

Also on page 3, in line 23, after "activity" by inserting "or oil and gas exploration and development activity"; also in line 23, after the period by inserting:

"(b)";

Also on page 3, in line 31, by striking "2026" and inserting "2027"; following line 31, by inserting:

"Sec. 7. (a) The provisions of sections 7 through 12, and amendments thereto, shall be known and may be cited as the Crawford county unincorporated area nuisance abatement act.

(b) Before any nuisance abatement process shall be commenced under the Crawford county unincorporated area nuisance abatement act, Crawford county first shall have obtained a conviction for a county code violation resulting from such nuisance within the 12-month period prior to the issuance of any order as provided in section 8, and amendments thereto.

(c) (1) The board of county commissioners may order the removal or abatement of any nuisance from any lot or parcel of ground within the unincorporated area of the county. The board may also order the repair or demolition of any structure or the removal or abatement of any other type of nuisance.

(2) The order shall provide that all costs associated with the abatement shall be paid by the owner of the property on which the nuisance is located.

Sec. 8. (a) Whenever the board of county commissioners or other agency designated by the board files with the Crawford county clerk a statement, in writing, describing a nuisance and declaring that such nuisance is a menace and dangerous to the health of the inhabitants of the county, the board of county commissioners, by resolution, may make such determination and issue an order requiring the nuisance be removed or abated.

(b) Except as provided by subsection (c), the board of county commissioners shall order the owner of the property to remove and abate the nuisance within not less than 10 days, to be specified in the order. The board or its designated representative may grant extensions of the time period indicated in the order. The order shall state that, before the expiration of the waiting period or any extension, the recipient may request a hearing before the board or its designated representative. The order shall be served on the owner by personal service in accordance with K.S.A. 60-303, and amendments thereto.

(c) If the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice sent pursuant to this section during the preceding 24-month period, the board of county commissioners may provide notice of the issuance of any further orders to abate or remove a nuisance from the property in the manner provided by subsection (d) or as provided in this subsection. The board may provide notice of the order by such methods, including, but not limited to, door hangers conspicuously posting notice of the order on the property, personal notification, telephone communication or first-class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first-class mail.

(d) If the owner of the property fails to comply with the order for a period longer than that named in the order or any extensions of such time period, the board of county commissioners may proceed to order the repair or demolition of any structure and have the items described in the order removed and abated from the lot or parcel of ground. If the county abates or removes the nuisance, the county shall give notice to the owner, by certified mail, with return receipt requested, of the total cost of the abatement or removal incurred by the county. The notice also shall state that payment of the cost is due and payable within 60 days following the mailing of the notice.

(e) If the cost of the removal or abatement is not paid within the 60-day period, the cost shall be assessed and charged against the lot or parcel of land on which the nuisance was located. If the cost is to be assessed, the county clerk, at the time of certifying other county taxes, shall certify the costs, and the county clerk shall extend the cost on the tax roll of the county against the lot or parcel of land. Such cost shall be collected by the county treasurer.

(f) In assessing the cost of removal and abatement of a nuisance, the county shall subtract from the total cost of the abatement or removal incurred by the county the value of the property removed or abated. If the value of the property removed or abated is greater than the cost of the removal or abatement incurred by the county, the county shall pay the owner the difference. If the value of the property is contested, the property owner may request a hearing before the board or its designated representative prior to the 60 days following receipt of notice of

costs due and payable under subsection (d).

(g) All orders and notices shall be served on the owner of record or, if there is more than one owner of record, then on at least one such owner.

(h) Any decision of the board of county commissioners or its designated representative is subject to review in accordance with the Kansas judicial review act.

Sec. 9. Crawford county may remove and abate from property, other than public property or property open to use by the public, a motor vehicle determined to be a nuisance. Disposition of such vehicles shall be in compliance with the procedures for impoundment, notice and public auction provided by K.S.A. 8-1102(a)(2), and amendments thereto. Following any sale by public auction of a vehicle determined to be a nuisance, the purchaser may file proof with the division of vehicles, and the division shall issue a certificate of title to the purchaser of the motor vehicle. If a public auction is conducted but no responsible bid is received, the county may file proof with the division of vehicles, and the division shall issue a certificate of title of the motor vehicle to the county. Any person whose motor vehicle has been disposed of pursuant to this section shall be eligible for a refund of the tax imposed pursuant to K.S.A. 79-5101 et seq., and amendments thereto. The amount of the refund shall be determined in the manner provided by K.S.A. 79-5107, and amendments thereto.

Sec. 10. The board of county commissioners may adopt a resolution to establish any policies, procedures, designated body or other related matters for hearings that property owners or their agents may request pursuant to the Crawford county unincorporated area nuisance abatement act.

Sec. 11. (a) The legislature declares it is the policy of this state to protect and encourage the production and processing of food and other agricultural products. As nonagricultural uses of property continue to move into agricultural and agribusiness areas, normal agricultural and agribusiness activities can find themselves subjected to public and private claims of nuisance. Therefore, it is the legislative intent of this act to protect agricultural and agribusiness activities from nuisance actions. As such, nothing in the Crawford county unincorporated area nuisance abatement act shall apply to land, structures, machinery and equipment or motor vehicles used for an agricultural activity or oil and gas exploration and development activity.

(b) For purposes of this section, the term "agricultural activity" means the same as defined in K.S.A. 2-3203, and amendments thereto, except such term shall also include real and personal property, machinery, equipment, stored grain and agricultural input products owned or maintained by commercial grain elevators and agribusiness facilities.

Sec. 12. The Crawford county unincorporated area nuisance abatement act, sections 7 through 12, and amendments thereto, shall expire on July 1, 2027.;

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "act" by inserting "and the Crawford county unincorporated area nuisance abatement act"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 359** be amended on page 1, in line 5, by striking "New";

On page 2, following line 29, by inserting:

"Sec. 2. (a) On and after January 1, 2025, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one sporting Kansas City license plate for each such passenger vehicle or truck.

Such license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the payment to the county treasurer of the logo use royalty payment.

(b) OnGoal, LLC, may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee shall pay an amount of not less than \$25 nor more than \$100, as determined by OnGoal, LLC, as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a sporting Kansas City license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer the annual royalty payment. If such annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) OnGoal, LLC, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(h) As a condition of receiving the sporting Kansas City license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to OnGoal, LLC, and the state treasurer.

(i) Annual sporting Kansas City license plate fee payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the sporting Kansas City license plate fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the sporting Kansas City license plate fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from

the sporting Kansas City license plate fund shall be made on a monthly basis to the Kansas City soccer foundation in support of the victory project.

Sec. 3. (a) On and after January 1, 2025, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Sedgwick county zoo license plate for each such passenger vehicle or truck. Such license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The Sedgwick county zoological society may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee may apply annually to the Sedgwick county zoological society for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the Sedgwick county zoological society as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The Sedgwick county zoological society, which shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a Sedgwick county zoo license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or sent by the Sedgwick county zoological society, or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The Sedgwick county zoological society shall provide to all county treasurers an electronic mail address where applicants can contact the Sedgwick county zoological society for information concerning the application process or the status of such

applicant's license plate application.

(h) The Sedgwick county zoological society, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the Sedgwick county zoo license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type, to the Sedgwick county zoological society and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "plate" by inserting ", the sporting Kansas City license plate and the Sedgwick county zoo license plate"; and the bill be passed as amended.

Also, **SB 410** be amended on page 1, in line 5, before "Section 1.", by inserting "New"; following line 12, by inserting:

"New Sec. 2. The portion of United States highway 81 where it enters the state on the Kansas-Nebraska line, then south on United States highway 81 to the southern border of Republic county is hereby designated as the Merle Miller memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the Merle Miller memorial highway.

Sec. 3. K.S.A. 68-1036 is hereby amended to read as follows: 68-1036. The portion of United States highway 81 ~~where it enters the state on the Kansas-Nebraska line on the north thence south from the northern border of Cloud county, then south on United States highway 81~~ to the junction of interstate highway I-70 is hereby designated the Frank Carlson memorial highway. The secretary of transportation shall place suitable signs along the highway right-of-way at proper intervals to indicate the highway is the Frank Carlson memorial highway. The secretary of transportation may accept and administer gifts and donations to aid in obtaining suitable highway signs.

Sec. 4. K.S.A. 68-1036 is hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after the second "highway" by inserting "; designating a portion of United States highway 81 as the Merle Miller memorial highway; redesignating a current portion of the Frank Carlson memorial highway for United States highway 81; amending K.S.A. 68-1036 and repealing the existing section"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, February 14, 2024.

Journal of the Senate

TWENTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 14, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The President introduced Doug Henkle who delivered the Invocation:

Heavenly Father, thank You for the men and women who serve our state in this chamber and for their families. Please provide them with reminders each day of why You called them to public service and use that calling to encourage them. Father, bless and protect the wives, husbands, and children of the members of this chamber. Give them peace as they are away from their loved ones on this Valentine's Day. We ask that You draw near to them and give them wisdom on how to best support one another as they are apart. I pray the time they do have with loved ones is rich and filled with warmth and gracious support.

I pray that You would grant wisdom, understanding, discernment and knowledge to the members of this body. Grant them favor, increase their faith and equip them to pursue Your excellence. Draw them to You and cause them to know and fulfill Your purposes. Thank You that You can be our standard, that You can be the mark toward which we strive.

I pray for President Masterson, Vice President Wilborn, Majority Leader Alley and Minority Leader Sykes as they lead this chamber. Give them Your perception and Your wisdom. Father, we lift up our governor to You. Your word tells us that You control rulers, just as You control the course of rivers. Please give our governor Your direction as she leads the executive branch of our government, that Your Devine will for our state would be accomplished.

Father God, we are so grateful for the legislative staff, for the housekeeping staff and the security personnel. They have such an important job keeping this legislature running as it should. Thank You for the ways You have gifted them to support so well. Wrap Your arms around these men and women to show them love, grace, strength, and encouragement. Cause them to know You and see Your presence in the work they do. And, Father, give them the stamina to approach each day and to find a balance between work and life so that they would be sustained.

Lord, You are sovereign and have total, clear perspective. You see the end from the beginning. You have no match on earth or in heaven. You entertain no fears, no ignorance, and have no needs. You have no home. You are able to create rather than invent, You direct rather than wish, You control rather than hope. You have no limitations and always know what is best. You never make a mistake. You possess the ability to bring everything to a purposeful conclusion and an ultimate goal. You are invincible, immutable, infinite, and self-sufficient. Your judgments are unsearchable

and Your way unfathomable. What a blessing to rest in Your warm embrace! In Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

POINT OF PERSONAL PRIVILEGE

Senator Haley rose on a Point of Personal Privilege and submitted the following comments: MR. PRESIDENT AND FELLOW MEMBERS OF THE KANSAS SENATE: For many of us the travel outside of our State and even outside of our country, often you may have noted that the great pride we hold for KANSAS (or in my case, representing Wyandotte County, here in the Senate), KANSAS CITY, often the familiar link to where we're from or what we stand for is distilled into a sports franchise as, in the case, "Oh, the KANSAS CITY CHIEFS!" We are not the home of the native Kanza tribe for which Kansas the Territory, which became a member of the United States of America in 1861, was named. Kansas is not often worldwide known for our many innovations, or personages, or accomplishments for which we have triumphed ... and trumpeted. It has been a football team, The KANSAS CITY CHIEFS, specifically, that instills recognition and pride in the KANSAS name, uplifting the unique word "Kansas" and the "Kansas City" (which even a former POTUS attributed as our State and not another's where the team's home stadium currently sits) in stature and recognition around the globe in a way that should make all Kansans proud. Today, as a tremendous Parade in celebration is being shared by hundreds of thousands of revelers throughout Kansas City to honor the entire team: players, coaches, staff a deranged shooter in a regrettable incident sought to mar our civic pride by taking and injuring innocent lives. But, as my late mother Doris Moxley Haley would ALWAYS admonish me whenever some small person or some unfortunate action would creep into an overwhelming favorable aspect of Life and of Living: "As persons of faith, please don't ever let nothing steal your Joy!" And THIS is Joy: On Sunday, February 11, 2024, in front of a record television audience of 123.7 million viewers, the Kansas City Chiefs defeated the San Francisco 49ers by a score of 25 to 22 to win Super Bowl LVIII in Las Vegas, Nevada, and became the first franchise since 2004 to win back-to-back Super Bowls championship games! The Chiefs franchise was established on August 14, 1959, with their most recent season concluding their 63rd in the National Football League (NFL) and marking their fourth Super Bowl appearance in five years. The Chiefs have shown an unrivaled dominance and consistency in the modern era of the NFL, winning three of their four recent Super Bowl appearances! In Super Bowl LVIII, the players and coaches overcame adversity and completed a stunning second half and overtime period which became one of the greatest Super Bowl contests in history. The players, coaches, staff and entire organization instill immeasurable pride in Kansans all over the world, who recognize and appreciate the positive attention and reputation that the Chiefs' continued excellence brings to both Kansas City, Kansas, and Kansas as a whole! So, Mr. President and Members, we congratulate and commend the KANSAS CITY CHIEFS on being back-to-back Super Bowl Champions and recognize how they uplift the name and stature of KANSAS that we celebrate this day, ever still in JOY! How about those CHIEFS?!

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 512, AN ACT concerning insurance; relating to insurance companies; prohibiting companies from utilizing environmental, social and governance criteria in the process of writing contracts of insurance, indemnity or suretyship; authorizing the attorney general or the county attorney or district attorney where a violation occurred to enforce such prohibition; providing a civil penalty for violations thereof, by Committee on Federal and State Affairs.

SB 513, AN ACT concerning precious metals; relating to gold and silver bullion and specie; enacting the Kansas specie legal tender act; providing that gold and silver specie is legal tender; authorizing the state treasurer to adopt rules and regulations allowing the use of approved electronic currencies backed by specie legal tender; enacting the Kansas bullion depository act; authorizing the state treasurer to establish, administer or contract for the administration of bullion depositories; allowing state moneys to be deposited in such bullion depositories and invested in specie legal tender; amending K.S.A. 2023 Supp. 75-4209 and repealing the existing section, by Committee on Federal and State Affairs.

SB 514, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, and June 30, 2026, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-99b34, 76-775, 76-7,107, 79-2959, 79-2964, 79-2989, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 507**, **SB 509**.

Federal and State Affairs: **SB 511**; **SCR 1618**.

Financial Institutions and Insurance: **SB 505**.

Judiciary: **SB 506**, **SB 508**.

Local Government: **SB 510**.

MESSAGES FROM THE HOUSE

Announcing passage of **Sub HB 2168**; **HB 2477**, **HB 2525**, **HB 2583**, **HB 2632**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2168; **HB 2477**, **HB 2525**, **HB 2583**, **HB 2632** were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 431** be passed.

Committee on **Local Government** recommends **SB 384** be amended on page 1, following line 7, by inserting:

"Section 1. K.S.A. 2023 Supp. 65-6111 is hereby amended to read as follows: 65-6111. (a) The emergency medical services board shall:

(1) Adopt any rules and regulations necessary to carry out the provisions of this act;
 (2) review and approve the allocation and expenditure of moneys appropriated for emergency medical services;

(3) conduct hearings for all regulatory matters concerning ambulance services, emergency medical service providers, instructor-coordinators, training officers and sponsoring organizations;

(4) submit a budget to the legislature for the operation of the board;

(5) develop a state plan for the delivery of emergency medical services;

(6) enter into contracts as may be necessary to carry out the duties and functions of the board under this act;

(7) review and approve all requests for state and federal funding involving emergency medical services projects in the state or delegate such duties to the executive director;

(8) approve all training programs for emergency medical service providers and instructor-coordinators and prescribe certification application fees by rules and regulations;

(9) approve methods of examination for certification of emergency medical service providers and instructor-coordinators and prescribe examination fees by rules and regulations;

(10) appoint a medical advisory council of not less than six members, including one board member who shall be a physician and not less than five other physicians who are active and knowledgeable in the field of emergency medical services who are not members of the board to advise and assist the board in medical standards and practices as determined by the board. The medical advisory council shall elect a chairperson from among its membership and shall meet upon the call of the chairperson; and

(11) approve sponsoring organizations by prescribing standards and requirements by rules and regulations and withdraw or modify such approval in accordance with the Kansas administrative procedure act and the rules and regulations of the board.

(b) (1) Except as otherwise provided, the emergency medical services board may grant a temporary variance from an identified rule or regulation when a literal application or enforcement of the rule or regulation would result in serious hardship and the relief granted would not result in any unreasonable risk to the public interest, safety or welfare.

(2) Any variance granted pursuant to paragraph (1) may be granted as a permanent variance if the variance is from an identified rule or regulation adopted to implement, enforce or otherwise regulate the provisions of K.S.A. 65-6135, and amendments thereto.

(c) (1) In addition to or in lieu of any other administrative, civil or criminal remedy provided by law, the board, in accordance with the Kansas administrative procedure act, upon the finding of a violation of a provision of this act or the provisions of article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or rules and regulations adopted pursuant to such provisions may impose a fine on:

(A) Any person granted a certificate by the board in an amount not to exceed \$500

for each violation; or

(B) an ambulance service that holds a permit to operate in this state or on a sponsoring organization in an amount not to exceed \$2,500 for each violation.

(2) All fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(d) (1) In connection with any investigation by the board, the board or its duly authorized agents or employees shall at all reasonable times have access to, for the purpose of examination and the right to copy any document, report, record or other physical evidence of any person being investigated, or any document, report, record or other evidence maintained by and in possession of any clinic, laboratory, pharmacy, medical care facility or other public or private agency, if such document, report, record or evidence relates to professional competence, unprofessional conduct or the mental or physical ability of the person to perform activities the person is authorized to perform.

(2) For the purpose of all investigations and proceedings conducted by the board:

(A) The board may issue subpoenas compelling the attendance and testimony of witnesses or the production for examination or copying of documents or any other physical evidence if such evidence relates to professional competence, unprofessional conduct or the mental or physical ability of a person being investigated to perform activities the person is authorized to perform. Within five days after the service of the subpoena on any person requiring the production of any evidence in the person's possession or under the person's control, such person may petition the board to revoke, limit or modify the subpoena. The board shall revoke, limit or modify such subpoena if in its opinion the evidence required does not relate to practices that may be grounds for disciplinary action, is not relevant to the charge that is the subject matter of the proceeding or investigation or does not describe with sufficient particularity the physical evidence that is required to be produced. Any member of the board, or any agent designated by the board, may administer oaths or affirmations, examine witnesses and receive such evidence.

(B) Any person appearing before the board shall have the right to be represented by counsel.

(C) The district court, upon application by the board or by the person subpoenaed, shall have jurisdiction to issue an order:

(i) Requiring such person to appear before the board or the board's duly authorized agent to produce evidence relating to the matter under investigation; or

(ii) revoking, limiting or modifying the subpoena if in the court's opinion the evidence demanded does not relate to practices that may be grounds for disciplinary action, is not relevant to the charge that is the subject matter of the hearing or investigation or does not describe with sufficient particularity the evidence that is required to be produced.

(3) Disclosure or use of any such information received by the board or of any record containing such information, for any purpose other than that provided by this subsection is a class A misdemeanor and shall constitute grounds for removal from office, termination of employment or denial, revocation or suspension of any certificate or permit issued under article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto. Nothing in this subsection shall be construed to make unlawful the

disclosure of any such information by the board in a hearing held pursuant to this act.

(4) Patient records, including clinical records, medical reports, laboratory statements and reports, files, films, other reports or oral statements relating to diagnostic findings or treatment of patients, information from which a patient or a patient's family might be identified, peer review or risk management records or information received and records kept by the board as a result of the investigation procedure outlined in this subsection shall be confidential and shall not be disclosed.

(5) Nothing in this subsection or any other provision of law making communications between a physician and the physician's patient a privileged communication shall apply to investigations or proceedings conducted pursuant to this subsection. The board and its employees, agents and representatives shall keep in confidence the names of any patients whose records are reviewed during the course of investigations and proceedings pursuant to this subsection.

(e) The emergency medical services board shall prepare an annual report on or before January 15 of each year on the number, amount and reasons for the fines imposed by the board and the number of and reasons for subpoenas issued by the board during the previous calendar year. The report shall be provided to the senate committee on federal and state affairs and the house committee on federal and state affairs.";

Also on page 1, by striking all in lines 19 through 23; in line 24, after "Supp." by inserting "65-6111 and"; also in line 24, by striking "is" and inserting "are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, by striking all after the second semicolon; by striking all in line 3; in line 4, by striking "counties" and inserting "authorizing the emergency medical services board to grant certain permanent variances from rules and regulations"; also in line 4, after "Supp." by inserting "65-6111 and"; in line 5, by striking "section" and inserting "sections"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 15, 2024.

Journal of the Senate

TWENTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 15, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Love Is A Many Splendered Thing
1 Corinthians 13, Matthew 24: 12

Lord of Love, Mercy and Grace. Every year in the middle of February, we remind ourselves of that strange phenomenon called love and how everything we do should first show love for You at its center and secondly, love for others. But we need Your help in clearing up the confusion over what it is and how to do it. For if we ask 100 people to define it, we'll get 100 definitions.

Back in 1955, a Paul Webster tried to help us with the words to his song, He said "Love Is A Many-Splendered Thing." His lyric continued with, "It's the April rose that only grows in the early spring, that it's nature's way of giving a reason to be living; That it's the golden crown that makes a man a king." Lord, we're pretty good at poetry, and talking about love being multi-faceted. And we've come to know that it is. But, like a diamond takes in pure light and reflects it in a variety of brilliant hues, shine the pure light of Your love into our hearts to such a degree that we reflect it in a variety of ways. So much so, that those around us take note and say, "that's a man or woman who consistently demonstrates love."

In 1 Corinthians 13, the love chapter of Your Holy Word, You tell us how love does and does not behave. Help us to regularly use that passage as a love test to examine ourselves. For You predicted in Matthew 24: 12, that as we draw closer to the end times, due to lawlessness multiplying, the love of the many will grow cold.

So, Lord, help us to start telling folk and showing folk that we love them. For the need to promote love for our neighbor is amplified more now than ever. I thank You for Your love and for hearing this prayer, In Jesus' Name, 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 515, AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for the Dane G. Hansen foundation; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 516, AN ACT concerning elevators; relating to annual inspections under the elevator safety act; exempting elevators owned by nonprofit organizations with a maintenance service contract for such elevator from the inspection requirement; amending K.S.A. 2023 Supp. 44-1815 and repealing the existing section, by Committee on Assessment and Taxation.

SB 517, AN ACT concerning energy; relating to reliability of electric generation facilities; providing guidelines for decommissioning of certain electric generation facilities; requiring a utility to replace a closed or decommissioned facility with an equivalent amount of reliable and readily dispatchable electric generation, by Committee on Federal and State Affairs.

SB 518, AN ACT concerning insurance; relating to complex rehabilitation technology; establishing coverage and reimbursement therefor; providing for the formation of a complex rehabilitation technology reimbursement task force; creating the complex rehabilitation technology coverage act; directing the commissioner of insurance to adopt rules and regulations, by Committee on Ways and Means.

SB 519, AN ACT concerning postsecondary education; requiring technical colleges to affiliate with a state educational institution or municipal university; requirements therefor; amending K.S.A. 71-1802, 72-3810, 74-32,413 and 76-712 and repealing the existing sections, by Committee on Ways and Means.

INTRODUCTION OF SENATE RESOLUTIONS

SR 1740—A RESOLUTION supporting the admission of Washington, District of Columbia, into the union as a state of the United States of America, by Senators Holscher, Corson, Faust-Goudeau, Francisco, Haley, Pettey, Pittman and Sykes

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **Sub HB 2168; HB 2477, HB 2525.**

Federal and State Affairs: **SB 513.**

Financial Institutions and Insurance: **SB 512.**

Judiciary: **HB 2583, HB 2632.**

Ways and Means: **SB 514.**

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senators Faust-Goudeau and Haley introduced the following Senate resolution, which was read:

SENATE RESOLUTION NO. 1739—

A RESOLUTION recognizing the members of Delta Sigma Theta Sorority, Inc., for their outstanding service to the citizens of our state, our nation and the international community and their promotion of sisterhood, scholarship and service.

WHEREAS, Delta Sigma Theta Sorority, Inc., is a private, not-for-profit organization whose purpose is to provide assistance and support to local communities throughout the world in diverse fields relating to public service through the organization's established five-point programmatic thrust: Economic development, educational development, international awareness and involvement, physical and mental health, and political awareness and involvement; and

WHEREAS, On January 13, 1913, Delta Sigma Theta Sorority, Inc., was founded at Howard University in the District of Columbia by: Osceola Macarthy Adams, Marguerite Young Alexander, Winona Cargile Alexander, Ethel Cuff Black, Bertha Pitts Campbell, Zephyr Chisom Carter, Edna Brown Coleman, Jessie McGuire Dent, Fredrica Chase Dodd, Myra Davis Hemmings, Olive C. Jones, Mamie Reddy Rose, Eliza Pearl Shippen, Florence Letcher Toms, Ethel Carr Watson, Wertie Blackwell Weaver, Madree Penn White and Edith Motte Young; and

WHEREAS, In March 1913, the founders of Delta Sigma Theta Sorority, Inc., participated in the Women's Suffrage March in the District of Columbia, which was the sorority's first public act; and

WHEREAS, Since its founding, more than 300,000 women have joined the organization; and

WHEREAS, Delta Sigma Theta Sorority, Inc., has eight chapters in Kansas and a total of 1,000 collegiate and alumnae chapters in the United States, Canada, Japan, Germany, the Virgin Islands, Bermuda, the Bahamas, Jamaica, West Africa and the Republic of Korea: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the members of Delta Sigma Theta Sorority, Inc., for their outstanding service to the citizens of our state, our nation and the international community and for their promotion of sisterhood, scholarship and service; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution Trudy Baker, Honorable Gwynne Birzer, Jasmine Burrell, Ashlynn Clark, Anna Gregory, Dr. Felicia C. Echols, Carrington Jackson, Dr. Christina Love, Valerie Patterson, Erica Wills, Sue E. Wilson, Tanya Young, Senator Faust Goudeau and Senator Haley.

On emergency motion of Senator Faust-Goudeau **SR 1739** was adopted.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2499, HB 2561, HB 2588.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2499, HB 2561, HB 2588 were thereupon introduced and read by title.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Peck in the chair.

On motion of Senator Peck the following summary report was adopted:

SB 142, SB 394, SB 419 be passed.

SB 23 be passed as amended by Committee of the Whole.

SB 360, SB 410, SB 414 be passed as amended by adoption of the committee reports.

COMMITTEE OF THE WHOLE ACTIONS

SB 23 be amended by motion of Senator Longbine, by striking all in lines 9 through 36;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 42; following line 42, by inserting:

"Section 1. K.S.A. 2023 Supp. 74-4921 is hereby amended to read as follows: 74-4921. (1) There is hereby created in the state treasury the Kansas public employees retirement fund. All employee and employer contributions shall be deposited in the state treasury to be credited to the Kansas public employees retirement fund. The fund is a trust fund and shall be used solely for the exclusive purpose of providing benefits to members and member beneficiaries and defraying reasonable expenses of administering the fund. Investment income of the fund shall be added or credited to the fund as provided by law. All benefits payable under the system, refund of contributions and overpayments, purchases or investments under the law and expenses in connection with the system unless otherwise provided by law shall be paid from the fund. The director of accounts and reports is authorized to draw warrants on the state treasurer and against such fund upon the filing in the director's office of proper vouchers executed by the chairperson or the executive director of the board. As an alternative, payments from the fund may be made by credits to the accounts of recipients of payments in banks, savings and loan associations and credit unions. A payment shall be so made only upon the written authorization and direction of the recipient of payment and upon receipt of such authorization such payments shall be made in accordance therewith. Orders for payment of such claims may be contained on:

(a) A letter, memorandum, telegram, computer printout or similar writing; or
(b) any form of communication, other than voice, which is registered upon magnetic tape, disc or any other medium designed to capture and contain in durable form conventional signals used for the electronic communication of messages.

(2) The board shall have the responsibility for the management of the fund and shall discharge the board's duties with respect to the fund solely in the interests of the members and beneficiaries of the system for the exclusive purpose of providing benefits to members and such member's beneficiaries and defraying reasonable expenses of administering the fund and shall invest and reinvest moneys in the fund and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of the fund within the limitations and according to the powers, duties and purposes as prescribed by this section.

(3) Moneys in the fund shall be invested and reinvested to achieve the investment objective which is preservation of the fund to provide benefits to members and member beneficiaries, as provided by law and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this act. No moneys in the fund shall be invested or reinvested if any investment objective is for economic development or social purposes or objectives.

(4) In investing and reinvesting moneys in the fund and in acquiring, retaining, managing and disposing of investments of the fund, the board shall exercise the judgment, care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence, discretion and intelligence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the fund so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so, and not in regard to speculation but in regard to the permanent disposition of similar funds, considering the probable income as well as the probable safety of their capital.

(5) Notwithstanding subsection (4):

(a) Total investments in common stock may be made in the amount of up to 60% of

the total book value of the fund;

(b) the board may invest or reinvest moneys of the fund in alternative investments if the following conditions are satisfied:

(i) The total of the annual net commitment to alternative investments does not exceed 5% of the total market value of investment assets of the fund as measured from the end of the preceding calendar year;

(ii) if in addition to the system, there are at least two other qualified institutional buyers, as defined by section (a)(1)(i) of rule 144A, securities act of 1933;

(iii) the system's share in any individual alternative investment is limited to an investment representing not more than 20% of any such individual alternative investment;

(iv) the system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of alternative investment;

(v) the alternative investment is consistent with the system's investment policies and objectives as provided in subsection (6);

(vi) the individual alternative investment does not exceed more than 2.5% of the total alternative investments made under this subsection. If the alternative investment is made pursuant to participation by the system in a multi-investor pool, the 2.5% limitation contained in this subsection is applied to the underlying individual assets of such pool and not to investment in the pool itself. The total of such alternative investments made pursuant to participation by the system in any one individual multi-investor pool shall not exceed more than 20% of the total of alternative investments made by the system pursuant to this subsection. Nothing in this subsection requires the board to liquidate or sell the system's holdings in any alternative investments made pursuant to participation by the system in any one individual multi-investor pool held by the system on the effective date of this act, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and be prudent under the standards contained in this section. The 20% limitation contained in this subsection shall not have been violated if the total of such investment in any one individual multi-investor pool exceeds 20% of the total alternative investments of the fund as a result of market forces acting to increase the value of such a multi-investor pool relative to the rest of the system's alternative investments; however, the board shall not invest or reinvest any moneys of the fund in any such individual multi-investor pool until the value of such individual multi-investor pool is less than 20% of the total alternative investments of the fund;

(vii) the board has received and considered the investment manager's due diligence findings submitted to the board as required by subsection (6);

(viii) prior to the time the alternative investment is made, the system has in place procedures and systems to ensure that the investment is properly monitored and investment performance is accurately measured; and

(ix) ~~the total~~ subject to the provisions of subsections (3), (4) and (5), the board shall adopt a limitation for the investment of alternative investments ~~does not exceed 15% expressed as a percentage~~ of the total investment assets of the fund. ~~The 15% Such limitation contained in this subsection shall not have been violated if the total of such alternative investments exceeds 15% of the total investment assets of the fund the percentage adopted by the board,~~ based on the fund total market value, as a result of

market forces acting to increase the value of such alternative investments relative to the rest of the system's investments. However, the board shall not invest or reinvest any moneys of the fund in alternative investments until the total value of such alternative investments is less than ~~15% of the total investment assets of the fund based on the market value. If the total value of the alternative investments exceeds 15% of the total investment assets of the fund, the limitation adopted by the board or the board adopts a new limit.~~ The board shall not be required to liquidate or sell the system's holdings in any alternative investment held by the system, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and is prudent under the standards contained in this section;

(c) for purposes of this section, "alternative investment" includes a broad group of investments that are not one of the traditional asset types of public equities, fixed income, cash or real estate. Alternative investments are generally made through limited partnership or similar structures, are not regularly traded on nationally recognized exchanges and thus are relatively illiquid, and exhibit lower correlations with more liquid asset types such as stocks and bonds. Alternative investments generally include, but are not limited to, private equity, private credit, hedge funds, infrastructure, commodities and other investments that have the characteristics described in this paragraph; and

(d) except as otherwise provided, the board may invest or reinvest moneys of the fund in real estate investments if the following conditions are satisfied:

(i) The system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of real estate investment;

(ii) the real estate investment is consistent with the system's investment policies and objectives as provided in subsection (6); and

(iii) the system has received and considered the investment manager's due diligence findings.

(6) (a) Subject to the objective set forth in subsection (3) and the standards set forth in subsections (4) and (5) the board shall formulate policies and objectives for the investment and reinvestment of moneys in the fund and the acquisition, retention, management and disposition of investments of the fund. Such policies and objectives shall include:

(i) Specific asset allocation standards and objectives;

(ii) establishment of criteria for evaluating the risk versus the potential return on a particular investment;

(iii) a requirement that all investment managers submit such manager's due diligence findings on each investment to the board or investment advisory committee for approval or rejection prior to making any alternative investment;

(iv) a requirement that all investment managers shall immediately report all instances of default on investments to the board and provide the board with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment; and

(v) establishment of criteria that would be used as a guideline for determining when no additional add-on investments or reinvestments would be made and when the investment would be liquidated.

(b) The board shall review such policies and objectives, make changes considered

necessary or desirable and readopt such policies and objectives on an annual basis.

(7) The board may enter into contracts with one or more persons whom the board determines to be qualified, whereby the persons undertake to perform the functions specified in subsection (2) to the extent provided in the contract. Performance of functions under contract so entered into shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts and shall be based on specific contractual fee arrangements. The system shall not pay or reimburse any expenses of persons contracted with pursuant to this subsection, except that after approval of the board, the system may pay approved investment related expenses subject to provisions of appropriation acts. The board shall require that a person contracted with to obtain commercial insurance which provides for errors and omissions coverage for such person in an amount to be specified by the board, provided that such coverage shall be at least the greater of \$500,000 or 1% of the funds entrusted to such person up to a maximum of \$10,000,000. The board shall require a person contracted with to give a fidelity bond in a penal sum as may be fixed by law or, if not so fixed, as may be fixed by the board, with corporate surety authorized to do business in this state. Such persons contracted with the board pursuant to this subsection and any persons contracted with such persons to perform the functions specified in subsection (2) shall be deemed to be agents of the board and the system in the performance of contractual obligations.

(8) (a) In the acquisition or disposition of securities, the board may rely on the written legal opinion of a reputable bond attorney or attorneys, the written opinion of the attorney of the investment counselor or managers, or the written opinion of the attorney general certifying the legality of the securities.

(b) The board shall employ or retain qualified investment counsel or counselors or may negotiate with a trust company to assist and advise in the judicious investment of funds as herein provided.

(9) (a) Except as provided in subsection (7) and this subsection, the custody of money and securities of the fund shall remain in the custody of the state treasurer, except that the board may arrange for the custody of such money and securities as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safekeeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. The services provided by the banks or trust companies shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts.

(b) The state treasurer and the board shall collect the principal and interest or other income of investments and the proceeds of sale of securities in the custody of the state treasurer and pay same when so collected into the fund.

(c) The principal and interest or other income or the proceeds of sale of securities as provided in this subsection shall be reported to the state treasurer and the board and credited to the fund.

(10) The board shall with the advice of the director of accounts and reports establish the requirements and procedure for reporting any and all activity relating to investment functions provided for in this act in order to prepare a record monthly of the investment income and changes made during the preceding month. The record will reflect a detailed summary of investment, reinvestment, purchase, sale and exchange transactions and such other information as the board may consider advisable to reflect a

true accounting of the investment activity of the fund.

(11) The board shall provide for an examination of the investment program annually. The examination shall include an evaluation of current investment policies and practices and of specific investments of the fund in relation to the objective set forth in subsection (3), the standard set forth in subsection (4) and other criteria as may be appropriate, and recommendations relating to the fund investment policies and practices and to specific investments of the fund as are considered necessary or desirable. The board shall include in its annual report to the governor as provided in K.S.A. 74-4907, and amendments thereto, a report or a summary thereof covering the investments of the fund.

(12) Any internal assessment or examination of alternative investments of the system performed by any person or entity employed or retained by the board which evaluates or monitors the performance of alternative investments shall be reported to the legislative post auditor so that such report may be reviewed in accordance with the annual financial-compliance audits conducted pursuant to K.S.A. 74-49,136, and amendments thereto.;

Also on page 6, in line 43, by striking "2022" and inserting "2023";

On page 1, in the title, in line 5, by striking "2022" and inserting "2023"

SB 23 be further amended by motion of Senator Fagg; on page 1, by striking all in lines 9 through 36;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 42; following line 42, by inserting:

"Section 1. K.S.A. 2023 Supp. 74-4921 is hereby amended to read as follows: 74-4921. (1) There is hereby created in the state treasury the Kansas public employees retirement fund. All employee and employer contributions shall be deposited in the state treasury to be credited to the Kansas public employees retirement fund. The fund is a trust fund and shall be used solely for the exclusive purpose of providing benefits to members and member beneficiaries and defraying reasonable expenses of administering the fund. Investment income of the fund shall be added or credited to the fund as provided by law. All benefits payable under the system, refund of contributions and overpayments, purchases or investments under the law and expenses in connection with the system unless otherwise provided by law shall be paid from the fund. The director of accounts and reports is authorized to draw warrants on the state treasurer and against such fund upon the filing in the director's office of proper vouchers executed by the chairperson or the executive director of the board. As an alternative, payments from the fund may be made by credits to the accounts of recipients of payments in banks, savings and loan associations and credit unions. A payment shall be so made only upon the written authorization and direction of the recipient of payment and upon receipt of such authorization such payments shall be made in accordance therewith. Orders for payment of such claims may be contained on:

(a) A letter, memorandum, telegram, computer printout or similar writing; or

(b) any form of communication, other than voice, which is registered upon magnetic tape, disc or any other medium designed to capture and contain in durable form conventional signals used for the electronic communication of messages.

(2) The board shall have the responsibility for the management of the fund and shall discharge the board's duties with respect to the fund solely in the interests of the members and beneficiaries of the system for the exclusive purpose of providing benefits

to members and such member's beneficiaries and defraying reasonable expenses of administering the fund and shall invest and reinvest moneys in the fund and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of the fund within the limitations and according to the powers, duties and purposes as prescribed by this section.

(3) Moneys in the fund shall be invested and reinvested to achieve the investment objective which is preservation of the fund to provide benefits to members and member beneficiaries, as provided by law and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this act. No moneys in the fund shall be invested or reinvested if any investment objective is for economic development or social purposes or objectives.

(4) In investing and reinvesting moneys in the fund and in acquiring, retaining, managing and disposing of investments of the fund, the board shall exercise the judgment, care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence, discretion and intelligence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the fund so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so, and not in regard to speculation but in regard to the permanent disposition of similar funds, considering the probable income as well as the probable safety of their capital.

(5) Notwithstanding subsection (4):

(a) Total investments in common stock may be made in the amount of up to 60% of the total book value of the fund;

(b) the board may invest or reinvest moneys of the fund in alternative investments if the following conditions are satisfied:

(i) The total of the annual net commitment to alternative investments does not exceed 5% of the total market value of investment assets of the fund as measured from the end of the preceding calendar year;

(ii) if in addition to the system, there are at least two other qualified institutional buyers, as defined by section (a)(1)(i) of rule 144A, securities act of 1933;

(iii) the system's share in any individual alternative investment is limited to an investment representing not more than 20% of any such individual alternative investment;

(iv) the system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of alternative investment;

(v) the alternative investment is consistent with the system's investment policies and objectives as provided in subsection (6);

(vi) the individual alternative investment does not exceed more than 2.5% of the total alternative investments made under this subsection. If the alternative investment is made pursuant to participation by the system in a multi-investor pool, the 2.5% limitation contained in this subsection is applied to the underlying individual assets of such pool and not to investment in the pool itself. The total of such alternative investments made pursuant to participation by the system in any one individual multi-investor pool shall not exceed more than 20% of the total of alternative investments made by the system pursuant to this subsection. Nothing in this subsection requires the board to liquidate or sell the system's holdings in any alternative investments made

pursuant to participation by the system in any one individual multi-investor pool held by the system on the effective date of this act, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and be prudent under the standards contained in this section. The 20% limitation contained in this subsection shall not have been violated if the total of such investment in any one individual multi-investor pool exceeds 20% of the total alternative investments of the fund as a result of market forces acting to increase the value of such a multi-investor pool relative to the rest of the system's alternative investments; however, the board shall not invest or reinvest any moneys of the fund in any such individual multi-investor pool until the value of such individual multi-investor pool is less than 20% of the total alternative investments of the fund;

(vii) the board has received and considered the investment manager's due diligence findings submitted to the board as required by subsection (6);

(viii) prior to the time the alternative investment is made, the system has in place procedures and systems to ensure that the investment is properly monitored and investment performance is accurately measured; and

(ix) the total of alternative investments does not exceed ~~15%~~ 20% of the total investment assets of the fund. The ~~15%~~ 20% limitation contained in this subsection shall not have been violated if the total of such alternative investments exceeds ~~15%~~ 20% of the total investment assets of the fund, based on the fund total market value, as a result of market forces acting to increase the value of such alternative investments relative to the rest of the system's investments. However, the board shall not invest or reinvest any moneys of the fund in alternative investments until the total value of such alternative investments is less than ~~15%~~ 20% of the total investment assets of the fund based on the market value. If the total value of the alternative investments exceeds ~~15%~~ 20% of the total investment assets of the fund, the board shall not be required to liquidate or sell the system's holdings in any alternative investment held by the system, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and is prudent under the standards contained in this section;

(c) for purposes of this section, "alternative investment" includes a broad group of investments that are not one of the traditional asset types of public equities, fixed income, cash or real estate. Alternative investments are generally made through limited partnership or similar structures, are not regularly traded on nationally recognized exchanges and thus are relatively illiquid, and exhibit lower correlations with more liquid asset types such as stocks and bonds. Alternative investments generally include, but are not limited to, private equity, private credit, hedge funds, infrastructure, commodities and other investments that have the characteristics described in this paragraph; and

(d) except as otherwise provided, the board may invest or reinvest moneys of the fund in real estate investments if the following conditions are satisfied:

(i) The system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of real estate investment;

(ii) the real estate investment is consistent with the system's investment policies and objectives as provided in subsection (6); and

(iii) the system has received and considered the investment manager's due diligence findings.

(6) (a) Subject to the objective set forth in subsection (3) and the standards set forth in subsections (4) and (5) the board shall formulate policies and objectives for the investment and reinvestment of moneys in the fund and the acquisition, retention, management and disposition of investments of the fund. Such policies and objectives shall include:

- (i) Specific asset allocation standards and objectives;
- (ii) establishment of criteria for evaluating the risk versus the potential return on a particular investment;
- (iii) a requirement that all investment managers submit such manager's due diligence findings on each investment to the board or investment advisory committee for approval or rejection prior to making any alternative investment;
- (iv) a requirement that all investment managers shall immediately report all instances of default on investments to the board and provide the board with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment; and
- (v) establishment of criteria that would be used as a guideline for determining when no additional add-on investments or reinvestments would be made and when the investment would be liquidated.

(b) The board shall review such policies and objectives, make changes considered necessary or desirable and readopt such policies and objectives on an annual basis.

(7) The board may enter into contracts with one or more persons whom the board determines to be qualified, whereby the persons undertake to perform the functions specified in subsection (2) to the extent provided in the contract. Performance of functions under contract so entered into shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts and shall be based on specific contractual fee arrangements. The system shall not pay or reimburse any expenses of persons contracted with pursuant to this subsection, except that after approval of the board, the system may pay approved investment related expenses subject to provisions of appropriation acts. The board shall require that a person contracted with to obtain commercial insurance which provides for errors and omissions coverage for such person in an amount to be specified by the board, provided that such coverage shall be at least the greater of \$500,000 or 1% of the funds entrusted to such person up to a maximum of \$10,000,000. The board shall require a person contracted with to give a fidelity bond in a penal sum as may be fixed by law or, if not so fixed, as may be fixed by the board, with corporate surety authorized to do business in this state. Such persons contracted with the board pursuant to this subsection and any persons contracted with such persons to perform the functions specified in subsection (2) shall be deemed to be agents of the board and the system in the performance of contractual obligations.

(8) (a) In the acquisition or disposition of securities, the board may rely on the written legal opinion of a reputable bond attorney or attorneys, the written opinion of the attorney of the investment counselor or managers, or the written opinion of the attorney general certifying the legality of the securities.

(b) The board shall employ or retain qualified investment counsel or counselors or may negotiate with a trust company to assist and advise in the judicious investment of funds as herein provided.

(9) (a) Except as provided in subsection (7) and this subsection, the custody of money and securities of the fund shall remain in the custody of the state treasurer,

except that the board may arrange for the custody of such money and securities as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safekeeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. The services provided by the banks or trust companies shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts.

(b) The state treasurer and the board shall collect the principal and interest or other income of investments or the proceeds of sale of securities in the custody of the state treasurer and pay same when so collected into the fund.

(c) The principal and interest or other income or the proceeds of sale of securities as provided in this subsection shall be reported to the state treasurer and the board and credited to the fund.

(10) The board shall with the advice of the director of accounts and reports establish the requirements and procedure for reporting any and all activity relating to investment functions provided for in this act in order to prepare a record monthly of the investment income and changes made during the preceding month. The record will reflect a detailed summary of investment, reinvestment, purchase, sale and exchange transactions and such other information as the board may consider advisable to reflect a true accounting of the investment activity of the fund.

(11) The board shall provide for an examination of the investment program annually. The examination shall include an evaluation of current investment policies and practices and of specific investments of the fund in relation to the objective set forth in subsection (3), the standard set forth in subsection (4) and other criteria as may be appropriate, and recommendations relating to the fund investment policies and practices and to specific investments of the fund as are considered necessary or desirable. The board shall include in its annual report to the governor as provided in K.S.A. 74-4907, and amendments thereto, a report or a summary thereof covering the investments of the fund.

(12) Any internal assessment or examination of alternative investments of the system performed by any person or entity employed or retained by the board which evaluates or monitors the performance of alternative investments shall be reported to the legislative post auditor so that such report may be reviewed in accordance with the annual financial-compliance audits conducted pursuant to K.S.A. 74-49,136, and amendments thereto.";

Also on page 6, in line 43, by striking "2022" and inserting "2023";

On page 1, in the title, in line 3, by striking "eliminating" and inserting "increasing"; also in line 3, by striking "15%"; in line 4, by striking all after "limit"; in line 5, by striking all before the semicolon and inserting "to 20%"; also in line 5, by striking "2022" and inserting "2023" and **SB 23** be passed as amended.

SB 142 be passed.

A motion by Senator Olson to amend **SB 142** failed and the following amendment was rejected; on page 11, following line 15, by inserting:

"Sec. 3. K.S.A. 8-2902 is hereby amended to read as follows: 8-2902. (a) A driverless-capable vehicle ~~may shall not~~ operate on the public highways of this state without a conventional human driver ~~with the automated driving system engaged if the vehicle meets all of the following conditions:~~

~~(1) The vehicle is capable of achieving a minimal risk condition if a malfunction of the automated driving system occurs that renders the system unable to perform the entire dynamic driving task within the system's intended operational design domain, if any;~~

~~(2) while in driverless operation, the vehicle is capable of operating in compliance with the applicable traffic and motor vehicle safety laws and regulations of this state that govern the performance of the dynamic driving task;~~

~~(3) when required by federal law, the vehicle bears the required manufacturer's certification label indicating that at the time of manufacture the vehicle has been certified to be in compliance with all applicable federal motor vehicle safety standards, including any reference to any exception granted by the national highway traffic safety administration; and~~

~~(4) the driverless-capable vehicle cannot exceed 34,000 pounds on tandem axles. The provisions of this paragraph shall expire and have no effect on and after July 1, 2025; and~~

~~(5) a conventional human driver shall be required to be physically present in every driverless-capable vehicle placed into service in Kansas for the 12 consecutive months from the date that such entity places a driverless-capable vehicle into service in this state. The provisions of this paragraph shall not apply to a person who operates a:~~

~~(A) Vehicle that is not designed, intended or marketed for human occupancy; or~~

~~(B) dedicated driverless-capable vehicle that lacks manual controls for operation by a conventional human driver.~~

~~(b) Prior to operating a driverless-capable vehicle on the public roads of this state without a conventional human driver, the owner of such driverless-capable vehicle shall submit a law enforcement interaction plan to the Kansas highway patrol that describes:~~

~~(1) How to communicate with a fleet support specialist who is available during the times the vehicle is in operation, and on which side of the vehicle contact information of the fleet support specialist is readily visible;~~

~~(2) information regarding safety considerations for first responders in dealing with a driverless-capable vehicle as the result of collision or fire;~~

~~(3) how to recognize whether the driverless-capable vehicle is in autonomous mode; and~~

~~(4) any additional information the manufacturer or owner deems necessary regarding hazardous conditions or public safety risks associated with the operation of the driverless-capable vehicle.~~

~~(e) (1) The operation of an ADS-equipped vehicle capable of performing the entire dynamic driving task within the automated driving system's operational design domain on the public highways of this state while a conventional human driver is present and expected to respond to a request to intervene, shall be lawful. During such operation, the conventional human driver shall possess a valid driver's license pursuant to K.S.A. 8-234b, and amendments thereto, and shall be subject to the required insurance, self-insurance or other financial security required pursuant to K.S.A. 40-3104, and amendments thereto. The conventional human driver shall operate the ADS-equipped vehicle according to the manufacturer's requirements and specifications and shall regain manual control of the vehicle when prompted by the automated driving system.~~

~~(2) An automated driving system, while engaged, shall be designed to operate within the system's operational design domain in compliance with the applicable traffic~~

and motor vehicle safety laws and regulations of this state that govern the performance of the dynamic driving task.

~~(d)~~(c) Except as provided in this section, the motor vehicle laws of this state shall not be construed to require a conventional human driver to operate a driverless-capable vehicle that is being operated by an automated driving system. The automated driving system, while engaged, shall be deemed to fulfill any physical acts required of a conventional human driver to perform the dynamic driving task.

~~(e)~~(d) K.S.A. 8-2901 through 8-2910, and amendments thereto, shall not be construed to modify the responsibilities of a conventional human driver that operates a system-equipped vehicle when the automated driving system is not engaged.";

Also on page 11, in line 16, by striking "is" and inserting "and 8-2902 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "motor vehicles; relating to"; also in line 1, by striking "relating to the duty of" and inserting "requiring action by"; in line 3, after the semicolon by inserting "relating to driverless-capable vehicles; requiring conventional human driver for operation."; also in line 3, after "8-2118" by inserting "and 8-2902"; in line 4, by striking "section" and inserting "sections"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 18; Nays 21; Present and Passing 0; Absent or Not Voting 1.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Tyson, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Ryckman, Thompson, Warren, Wilborn.

Absent or Not Voting: McGinn.

SB 360 be amended by the adoption of the committee amendments.

SB 410 be amended by the adoption of the committee amendments.

SB 414 be amended by the adoption of the committee amendments.

A motion by Senator Holscher to amend **SB 414** failed.

FINAL ACTION ON CONSENT CALENDAR

SB 379 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 172, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; increasing the lump-sum death benefit; amending K.S.A. 74-4989 and 74-49,315 and repealing the existing sections,

was considered on final action.

On roll call, the vote was: Yeas 25; Nays 14; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kloos, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Tyson, Ware.

Nays: Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Longbine, Masterson, Peck, Pyle, Steffen, Straub, Thompson, Wilborn.

Present and Passing: Warren.

The bill passed.

SB 336, AN ACT concerning health and environment; relating to underground storage tanks; removing the requirement for underground storage tank operating permits to be obtained annually; amending K.S.A. 65-34,135 and repealing the existing section; also repealing K.S.A. 65-34,130, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 347, AN ACT concerning wildlife and parks; relating to the wildlife and parks commission; requiring senate confirmation of appointees thereto; amending K.S.A. 2023 Supp. 32-805 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 24; Nays 16; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Blasi, Claeys, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Billinger, Bowers, Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed.

SB 349, AN ACT concerning the passenger rail service program; establishing the intercity passenger rail service program; making transfers annually into the passenger rail service revolving fund; amending K.S.A. 75-5089 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Ware, Warren, Wilborn.

Nays: Olson, Pyle, Steffen, Straub, Thompson, Tyson.

The bill passed.

SR 1737, A RESOLUTION affirming Texas Governor, Greg Abbott's right to defend the state of Texas from unrestrained illegal immigration, was considered on final action.

On roll call, the vote was: Yeas 26; Nays 11; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

Present and Passing: Dietrich, McGinn, Pittman.

The resolution was adopted.

EXPLANATION OF VOTE

President Biden's failed open border policies have unleashed a nationwide crisis and influx of illegal immigrants. Texas should not have to shoulder the financial and physical burden of protecting our nation's southern border alone. Do we need to start referring to California as Taiwan, Arizona as Ukraine, and Texas as Israel to get our Kansas Governor and Federal Government to aid Texas in defending our nation? As Texas Governor Greg Abbott closed his letter to his fellow Governor's in May of 2023, "When United, We can overcome any challenge together." I stand United with Texas, and vote Aye on **SR 1737**.—ALICIA STRAUB

EMERGENCY FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 23**, **SB 142**, **SB 360**, **SB 394**, **SB 410**, **SB 414** and **SB 419** were advanced to Final Action and roll call.

SB 23, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; Kansas public employees retirement fund; investment standards; eliminating the statutory 15% alternative investment percentage limit thereto; requiring the board of trustees to set alternative investment percentage limit; increasing the statutory alternative investment percentage limit to 20%; amending K.S.A. 2023 Supp. 74-4921 and repealing the existing section.

On roll call, the vote was: Yeas 24; Nays 13; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Blasi, Bowers, Corson, Dietrich, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Wilborn.

Nays: Billinger, Claeys, Doll, Erickson, Olson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson.

Present and Passing: Baumgardner, Gossage, Warren.

The bill passed, as amended.

EXPLANATION OF VOTE

Misunderstanding of alternative assets seem to be prevalent which proves why we want professionals investing our money. The pros of alternative investments that they are not necessarily correlated to the stock market which gives diversification benefits to our KPERs retirees. The cons are that there are higher fees and hard to get into

sometimes, not that they are inherently risky. They can give good returns and have slow risk and be liquid or longer term, so I support **SB 23**.—JEFF PITTMAN

I voted NO on **SB 23** because alternative investments are risky and ill-liquid. The idea of increasing these volatile investments to 20% of KPERS investments underlies a disconcerting degree of overconfidence among the funds managers.—MARK STEFFEN

SB 142, AN ACT concerning traffic regulations; relating to the duty of drivers approaching stationary vehicles; providing a penalty for unlawful passing thereof; amending K.S.A. 8-2118 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Doll, Olson.

The bill passed.

SB 360, AN ACT concerning tax-advantaged savings programs; allowing the taxpayer to elect the taxable year in which a subtraction modification for contributions to 529 qualified tuition accounts, ABLE accounts or first-time home buyer savings accounts would be applied; authorizing the state treasurer to appoint a 529 program advisory committee; amending K.S.A. 75-644 and K.S.A. 2023 Supp. 79-32,117 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 394, AN ACT concerning consumer protection; relating to internet content that is harmful to minors; requiring age verification for access to such content; providing for civil penalties for violations; establishing a civil cause of action for damages, attorney fees and costs.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

EXPLANATION OF VOTE

This session we have passed several resolutions, and some in this body wonder whether or not they matter...or if they are symbolic. Six years ago, my predecessor, Mary Pilcher Cook, sponsored a resolution which this chamber adopted, by a vote of 35-4, recognizing pornography as a public health hazard that leads to a broad spectrum of individual and public health impacts and societal harms. That resolution recognized the need for additional educational, prevention, research, and policy change at the community level, and urged this chamber and other governing bodies, to take appropriate steps to ensure progress was made on fighting the very real impacts that pornography has. Now, 6 years later, that progress is being realized with this bill by addressing the public health hazard of pornography in a way that solves the problem in a constitutional manner. I raise this point to both acknowledge the important work of my predecessor on this topic, and also to recognize that the resolutions we pass are not merely symbolic but can also set the stage for further positive action on issues such as this. I vote YES.—MIKE THOMPSON

Senator Erickson requests the record to show she concurs with the "Explanation of Vote" offered by Senator Thompson on **SB 394**.

SB 410, AN ACT concerning roads and highways; designating a portion of United States highway 69 as the Ken W Brock memorial highway; designating a portion of United States highway 81 as the Merle Miller memorial highway; redesignating a current portion of the Frank Carlson memorial highway for United States 81; amending K.S.A. 68-1036 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 414, AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; increasing penalties for unlawful distribution of controlled substances with respect to material containing any quantity of a fentanyl-related controlled substance; creating a special sentencing rule for such unlawful distribution thereof; amending K.S.A. 21-5705 and 21-6805 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Francisco.

The bill passed, as amended.

SB 419, AN ACT concerning crimes, punishment and criminal procedure; relating to aggravated endangering a child; increasing the criminal penalties in certain

environments associated with fentanyl-related controlled substances or when bodily harm to the child results; amending K.S.A. 21-5601 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **SB 333** be amended on page 2, following line 38, by inserting:

"(h) On July 1, 2029, the state use law committee is hereby abolished.";

On page 1, in the title, in line 1, by striking "removing" and inserting "extending"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 365** be passed.

Committee on **Financial Institutions and Insurance** recommends **SB 338, SB 339, SB 340, SB 345, SB 356, SB 398, SB 405** be passed.

Committee on **Public Health and Welfare** recommends **SB 103** be passed.

Committee on **Transportation** recommends **SB 424, SB 399** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Alley, the senate adjourned pro forma until 9:00 a.m. Friday, February 16, 2024.

Journal of the Senate

TWENTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 16, 2024, 9:00 a.m.

The Senate was called to order pro forma by Senator Rick Billinger.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 515**.
Federal and State Affairs: **SB 516**.
Financial Institutions and Insurance: **HB 2561**.
Public Health and Welfare: **SB 518**.
Transportation: **HB 2499**.
Utilities: **SB 517**, **HB 2588**.
Ways and Means: **SB 519**.

REFERENCE OF SENATE RESOLUTIONS

The following resolution was referred to Committee as indicated:
Federal and State Affairs: **SR 1740**.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2481**, **HB 2498**, **HB 2500**, **HB 2507**.
Announcing passage of **HB 2501**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2481, **HB 2498**, **HB 2500**, **HB 2501**, **HB 2507** were thereupon introduced and read by title.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SR 1737, **SR 1739** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 16, 2024.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of February 12 through February 16, 2024:

Senator Bowers: congratulating Riggs Walter on being named the Lincoln County Firefighter of the Year;

Senator Dietrich: congratulating Caleb Palmer on achieving the rank of Eagle Scout, congratulating Aston Ross on achieving the rank of Eagle Scout;

Senator Faust Goudeau: celebrating the 2024 Art That Touches Your Heart event;
Senator O'Shea: congratulating the Seaman High School Volleyball Team on winning the 2023 5A State Championship;

Senator Reddi: congratulating Blade Magas on being named the Manhattan Area Chamber of Commerce Young Professional of the Year, congratulating John Fliter on receiving the KSU College of Arts and Sciences 2023 Gaches Lifetime Teaching Award, congratulating Ron Fehr on being named the Manhattan Area Chamber of Commerce Citizen of the Year, congratulating Jim Morrison on being named the Manhattan Area Chamber of Commerce Volunteer of the Year;

Senator Thompson: congratulating Cullen McCaffery on achieving the rank of Eagle Scout; and

Senator Wilborn: congratulating Mid-Kansas Co-op on receiving the 2023 Agriculture Retailers Association Retailer of the Year Award.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Monday, February 19, 2024.

Journal of the Senate

THIRTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 19, 2024, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
The Vice President introduced Senator Rick Kloos who delivered the invocation.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 520, AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for certain not-for-profit organizations that provide public transportation services; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 521, AN ACT concerning insurance; relating to pharmacy benefit managers; imposing restrictions concerning the federal 340B drug pricing program; enacting the defense of affordable prescriptions act to prohibit certain discriminatory actions related to reimbursement of entities participating in the 340B pricing program, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committee as indicated:

Transportation: **HB 2481**, **HB 2498**, **HB 2500**, **HB 2501**, **HB 2507**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator Doll introduced the following Senate resolution, which was read:
SENATE RESOLUTION **No. 1741**—

A RESOLUTION congratulating and commending

Major League Baseball umpire Todd Tichenor for his accomplishments.

WHEREAS, Todd Tichenor, who began umpiring at the age of 12, grew up in in Garden City, Kansas; and

WHEREAS, Todd played baseball at both Garden City High School and Garden City Community College; and

WHEREAS, Todd graduated from the Jim Evans Academy of Professional Umpiring School in Kissimmee, Florida, and was one of only 17 out of 300 students to secure an umpire position in the minor leagues; and

WHEREAS, Todd served as a minor league umpire from 1999 through 2011,

officiating in various leagues including the Pioneer League, the South Atlantic League, the Carolina League, the Texas League and the Pacific Coast League; and

WHEREAS, On June 8, 2007, Todd officiated his first Major League game at Dodger Stadium, marking the beginning of five seasons of fill-in work in the major leagues; and

WHEREAS, In 2012, Todd became a full-time Major League Baseball umpire and went on to officiate in 10 post-season series, including five divisional series, two league championship series and the 2020 World Series between Tampa Bay and the Los Angeles Dodgers; and

WHEREAS, In 2023, Todd achieved the outstanding milestone of being promoted to crew chief; and

WHEREAS, Todd notably served as the right field umpire for the 2014 American League Wild Card Game in Kansas City and later took on the roles of crew chief and home plate umpire for the Major League Baseball All-Star Game in 2023; and

WHEREAS, Todd has received unwavering love and support from his wife Kelly, sons Kaden and Kooper and daughter Teagan: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Todd Tichenor for his accomplishments throughout his umpiring career, and we wish him all the best in his upcoming seasons; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Doll.

On emergency motion of Senator Doll **SR 1741** was adopted by voice vote.

COMMITTEE OF THE WHOLE

On motion of Senator Masterson, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Thompson in the chair.

On motion of Senator Thompson the following summary report was adopted:

SB 292, SB 384; HB 2392 be passed as amended by adoption of the committee reports.

SB 318 be passed over and retain a place on the calendar.

COMMITTEE OF THE WHOLE ACTIONS

SB 292 be amended by the adoption of the committee amendments.

SB 318 be passed over and retain a place on the calendar.

SB 384 be amended by the adoption of the committee amendments.

HB 2392 be amended by the adoption of the committee amendments.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **SB 406** be amended on page 7, in line 1, before "A", by inserting "A person engaging in the practice of law, bookkeeping, accounting, real estate sales or brokerage.

(15)";

And the bill be passed as amended.

Also, **SB 423** be amended on page 12, in line 27, after "One" by inserting "member"; in line 28, after "one" by inserting "member"; in line 29, after "one" by inserting "member"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 381 SB 420, SB 458, SB 493** be passed.
Committee on **Public Health and Welfare** recommends **SB 434** be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, February 20, 2024.

Journal of the Senate

THIRTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 20, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
The President introduced Doug Henkle who delivered the invocation:

Heavenly Father, we have a problem. You've put us together, but we're not together. There's diversity in who we are, where we came from, what we want to achieve and how to achieve it. Father, we see that diversity is such a reality and that in Your creative ability, even identical twins, are not really identical.

So, Lord, the problem we have is in determining not to look at our diversities as divisive. Cause us to see them, rather, as opportunities, opportunities to broaden the borders of our viewpoints. Cause us to understand that even when we don't think alike, look alike or like the same things, we can start looking at things through the eyes of others. Cause us to begin looking at others from that perspective.

Father, in Your Word (1 Corinthians 12:12-31), You remind us of the harmony, despite diversity, in the human body. Likewise, in this legislative body, as diverse as we are, You have put us all together with a need for each other. Like the eye and the hand work together despite their differences, You brought this legislative body of diverse people together to improve our state.

Thank You for what has been accomplished, and for what You will yet accomplish, for Your glory through the work done here in the Kansas Senate. Lord, the motto "E Pluribus Unum" is a reminder that the oneness, the unity in these halls is made up of many parts and all the parts issue into the one.

Heavenly Father, as weeks, months and even years go by and we look back at the work You have given us to do here, cause us to see that You put together a symphony of talent in these halls, to produce for Your people, a better, harmonious way of life. Lord, I ask this of You in the Loving Name of Jesus, 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 522, AN ACT concerning immigration; creating the crime of unlawful entry into this state; requiring notification of federal immigration authorities upon arrest for such offense; amending K.S.A. 2023 Supp. 60-2102 and repealing the existing section, by Committee on Assessment and Taxation.

SB 523, AN ACT concerning firearms; relating to the possession thereof; clarifying the eligibility requirements to obtain a license to carry a concealed handgun under the personal and family protection act; requiring a license be surrendered to the attorney general upon suspension or revocation of such license; amending K.S.A. 75-7c07 and K.S.A. 2023 Supp. 75-7c04 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 524, AN ACT concerning irrigation districts; relating to the election of members of the board of directors thereof; specifying when such elections may be conducted by mail ballot; authorizing the board of directors to set the term for such elected members; amending K.S.A. 42-706 and repealing the existing section, by Committee on Ways and Means.

SB 525, AN ACT creating the protection against deep fakes act; establishing a cause of action for damages arising from the use of generative artificial intelligence to create an image or likeness of another person for use in obscene material without such person's consent, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 520**.

Financial Institutions and Insurance: **SB 521**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2760**.

Announcing the House here with transmits the veto message from the Governor on **HB 2284**, AN ACT concerning taxation; relating to income tax; providing a 5.25% tax rate for individuals; eliminating the income limitation to receive the subtraction modification exempting social security benefits; increasing the Kansas standard deduction by a cost-of-living adjustment; increasing the Kansas personal exemption; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; concerning sales and compensating use tax; relating to sales of food and food ingredients; reducing the rate of tax imposed; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2023 Supp. 79-201x, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections., received on January 26, 2024 and read on January 29, 2024.

"I support responsible tax cuts, but I refuse to sign into law a reckless flat tax that would take us back to Brownback while doing next to nothing for the middle class. This flat tax experiment would overwhelmingly benefit the super wealthy, and I'm not going to put our public schools, roads, and stable economy at risk just to give a break to those at the very top.

I am dead set on making sure working Kansans get a tax cut this year. That's why I've brought together Republican, Democratic, and Independent legislators to champion a \$1 billion tax cut over three years, all while maintaining our state's strong fiscal foundation. Our bipartisan tax cut will make it easier for families to pay for groceries, child care, diapers, and school supplies - while also cutting property, sales, and

retirement taxes.

While I urge the legislature to take this irresponsible flat tax experiment off the table once and for all, know that I will not let legislators leave Topeka this year without meaningfully and responsibly cutting taxes for middle-class families. I will call a special session if I have to - anything to ensure Kansans see tax relief, immediately. Let's work together to cut taxes in a way that continues our economic growth while benefiting all Kansans, not just the wealthiest.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2284.**"

LAURA KELLY
Governor

A motion was made that **HB 2284** be passed notwithstanding the Governor's veto. By a vote of 81 Yeas and 42 Nays, the motion failed to receive the required two-thirds constitutional majority of the elected members or appointed to the House of Representatives and the veto was sustained.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2760 was thereupon introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

Citing Senate Rule 11(b), Senator Holland motioned to withdraw **SB 302** from the Committee on **Financial Institutions and Insurance** and advance the bill to the Calendar under the heading of **General Orders**, below the line.

Under Senate Rule 11(b), I hereby move to bring **Senate Bill 302** out of the Senate Financial Institutions and Insurance Committee and bring below the line under the heading of General Orders on the Senate Calendar. I bring this motion before the body because it is imperative that Kansas ensure the soundness and integrity of those financial markets operating under its jurisdiction. **SB 302** would suspend all future TEFFI fidfin transactions, custodial services and trust business of technology-enabled fiduciary financial institutions until the legislature expressly consents to and approves such activities by an act of the legislature and require the legislature to conduct a forensic audit of technology-enabled fiduciary financial institutions. My concerns regarding the enacted TEFFI legislation are two-fold: 1) the continued lack of effective regulatory oversight most recently expressed by Commissioner David Herndon of the Kansas Office of the State Bank Commission this past November, and 2) the dramatic collapse in the parent company Beneficient's share price which trades on the NASDAQ stock exchange; the 52-week high for the stock was \$16.50 a share and just last week shares were trading for under 30 cents. I am extremely concerned about any unforeseen negative consequences given the continued operation of the Beneficient Fiduciary Financial LLC TEFFI, and I ask the body for its support of the motion.—TOM HOLLAND

Citing Senate Rule 11(b), Senator Holland motioned to withdraw **SB 328** from the Committee on **Federal and State Affairs** and advance the bill to the Calendar under the heading of **General Orders**, below the line.

Under Senate Rule 11(b) I hereby move to bring **Senate Bill 328** out of the Senate Federal and State Affairs Committee and bring below the line under the heading of General Orders on the Senate Calendar. I bring this motion before the body because I have significant concerns about the appearance of conflicts of interest regarding two State of Kansas employees. If enacted, **SB 328** would address these concerns. The first major conflict of interest concerns the Lt. Governor who is simultaneously serving as Kansas' Secretary of Commerce. The conflict is this – when the Lt. Governor is simultaneously negotiating, awarding, promoting and administering economic development projects as the Secretary of Commerce, whose interests is he representing – Kansas taxpayers, the political interests of the Governor's Office, or the financial interest of developers? The second conflict is this – when a legislator who is also currently employed by the Attorney General's Office is introducing bills, voting on legislation and preparing budgets, whose interests is that legislator representing – district constituents or the Attorney General's office? Also, would that legislator have access to confidential KBI investigative information concerning fellow legislators should such an investigation ever arise? I strongly believe both employees as currently serving in their dual state roles make our legislative process less transparent to Kansas citizens, and I ask the body for its support of the motion.—TOM HOLLAND

Citing Senate Rule 11(b), Senator Sykes motioned to withdraw **SB 377** from the Committee on **Assessment and Taxation** and advance the bill to the Calendar under the heading of **General Orders**, below the line.

Senator Pyle moved to suspend the rules on **SB 377**.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 13; Nays 24; Present and Passing 0; Absent or Not Voting 3.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pittman, Pyle, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, McGinn, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Longbine, O'Shea, Pettey.

Failing to reach the required 27 affirmative votes, the motion was rejected.

EXPLANATION OF VOTE

My motion to suspend the rules was done to allow action on the motion by the senator from Johnson to withdraw **SB 377**, (the governor's tax cut) from the Committee on Assessment and Taxation for a fair debate and vote.—DENNIS PYLE

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pyle on **SB 377**.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Claeys in the chair.

On motion of Senator Claeys the following summary report was adopted:

SB 381, SB 420, SB 430, SB 431 be passed.
SB 333, SB 387 be passed as amended by the adoption of the committee reports.
SB 359 be passed as amended by the adoption of the committee report, and as further amended Committee of the Whole.
SB 386 be passed over and retain a place on the calendar.

COMMITTEE OF THE WHOLE ACTIONS

SB 333 be amended by the adoption of the committee amendments, and the bill be passed as amended.

SB 359 be amended by the adoption of the committee amendments, be further amended by motion of Senator Olson; on page 5, following line 27, by inserting:

"Sec. 4. (a) On and after January 1, 2025, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Kansas City royals license plate for each such passenger vehicle or truck. Such license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the payment to the county treasurer of the logo use royalty payment.

(b) The Kansas City royals may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee shall pay an amount of not less than \$25 but not more than \$100, as determined by the Kansas City royals as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a Kansas City royals license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer the annual royalty payment. If such annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The Kansas City royals with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(h) As a condition of receiving the Kansas City royals license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the

division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the Kansas City royals and the state treasurer.

(i) Annual Kansas City royals license plate fee payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas City royals license plate fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the Kansas City royals license plate fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the Kansas City royals license plate fund shall be made on a monthly basis to a charity approved by the Kansas City royals.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "and" and inserting a comma; also in line 3, after the second "plate" by inserting "and the Kansas City royals license plate"

SB 359 be further amended by motion of Senator Sykes; on page 5, following line 27, by inserting:

"Sec. 4. (a) On and after January 1, 2025, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Kansas City current license plate for each such passenger vehicle or truck. Such license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and the payment to the county treasurer of the logo use royalty payment.

(b) The Kansas City current may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee shall pay an amount of not less than \$25 but not more than \$100, as determined by the Kansas City current as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a Kansas City current license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer the

annual royalty payment. If such annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The Kansas City current with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(h) As a condition of receiving the Kansas City current license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the Kansas City current and the state treasurer.

(i) Annual Kansas City current license plate fee payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas City current license plate fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the Kansas City current license plate fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the Kansas City current license plate fund shall be made on a monthly basis to the united way of greater Kansas City.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "and" and inserting a comma; also in line 3, after the second "plate" by inserting "and the Kansas City current license plate" and **SB 359** be passed as further amended.

SB 381 be passed.

SB 386 be passed over and retain a place on the calendar.

SB 387 be amended by the adoption of the committee amendments, and the bill be passed as amended.

A motion by Senator Holscher to amend **SB 387** failed

SB 420 be passed.

SB 430 be passed.

SB 431 be passed.

FINAL ACTION ON CONSENT CALENDAR

SB 399, SB 424 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 399, AN ACT concerning motor vehicles; relating to vehicle dealers and salvage vehicle dealers; requiring that monthly reports be filed on the 25th day of the month; amending K.S.A. 8-2408 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher,

Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 424, AN ACT concerning the Kansas plane coordinate system act; providing for geographic positions or locations of points within the state of Kansas; amending K.S.A. 58-20a01, 58-20a02, 58-20a03, 58-20a04, 58-20a05 and 58-20a07 and repealing the existing sections; also repealing K.S.A. 58-20a06.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 292, AN ACT concerning veterans and military; updating certain provisions related to the Kansas army and air national guard; providing for the appointment of a state judge advocate; increasing monthly disability and death benefits; providing for the adjustment of such disability and death benefits; amending K.S.A. 48-101, 48-202, 48-205, 48-206, 48-209, 48-211, 48-214, 48-216, 48-242, 48-243, 48-252c, 48-261, 48-267, 48-269, 48-301, 48-509 and 48-516 and K.S.A. 2023 Supp. 48-204 and repealing the existing sections; also repealing K.S.A. 48-103, 48-219, 48-221, 48-222, 48-223, 48-228, 48-237 and 48-252, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 384, AN ACT concerning health and healthcare; relating to emergency medical services; staffing of ambulances; authorizing the emergency medical services board to grant certain permanent variances from rules and regulations; amending K.S.A. 2023 Supp. 65-6111 and 65-6135 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Pyle.

The bill passed, as amended.

HB 2392, AN ACT concerning veterans and military; updating the Kansas code of military justice relating to certain definitions, unlawful acts and punishment requirements thereof; amending K.S.A. 48-2101, 48-2102, 48-2103, 48-2105, 48-2106, 48-2201, 48-2203, 48-2204, 48-2602, 48-2605, 48-2708, 48-2709, 48-2801, 48-2802, 48-3003, 48-3005, 48-3006, 48-3007, 48-3008, 48-3009, 48-3010, 48-3011, 48-3012, 48-3013, 48-3014, 48-3015, 48-3016, 48-3017, 48-3018, 48-3019, 48-3020, 48-3021, 48-3022, 48-3023, 48-3024, 48-3025, 48-3026, 48-3027, 48-3028, 48-3029, 48-3030, 48-3031, 48-3032, 48-3033, 48-3033a, 48-3034, 48-3035, 48-3035a, 48-3036, 48-3037, 48-3038, 48-3039, 48-3040, 48-3041, 48-3042, 48-3043, 48-3044, 48-3101, 48-3102, 48-3103, 48-3104, 48-3105, 48-3108, 48-3109, 48-3110 and 48-3112 and K.S.A. 2023 Supp. 48-2301 and repealing the existing sections; also repealing K.S.A. 48-2104, 48-2202, 48-2205, 48-2206, 48-2207, 48-2208, 48-2401, 48-2401a, 48-2402, 48-2402a, 48-2403, 48-2404, 48-2405, 48-2406, 48-2501, 48-2501a, 48-2502, 48-2503, 48-2504, 48-2505, 48-2506, 48-2507, 48-2601, 48-2603, 48-2604, 48-2606, 48-2701, 48-2702, 48-2703, 48-2704, 48-2705, 48-2706, 48-2707, 48-2710, 48-2711, 48-2712, 48-2713, 48-2714, 48-2715, 48-2716, 48-2717, 48-2718, 48-2719, 48-2803, 48-2804, 48-2915, 48-2916, 48-2917, 48-2918, 48-2919, 48-2920, 48-2921, 48-2922, 48-2923, 48-2924, 48-2925, 48-2926, 48-2927, 48-2928, 48-2929, 48-2930, 48-2931, 48-2932, 48-3001, 48-3106, 48-3107 and 48-3114, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 417** be amended on page 1, following line 4, by inserting:

"Section 1. K.S.A. 2023 Supp. 32-840 is hereby amended to read as follows: 32-840. (a) The secretary, in the name of the state of Kansas, may exercise the right of eminent domain in accordance with the eminent domain procedure act, K.S.A. 26-501 et seq., and amendments thereto, for the purpose of acquiring lands, water and water rights necessary to:

(1) Carry out the provisions of the wildlife and parks laws of this state and the purposes for which the department is created; or

(2) protect, ~~add to~~ and improve state parks, state lakes, recreational areas, wildlife areas and sanctuaries, natural areas, fish hatcheries and other lands, waters and facilities provided for by K.S.A. 32-807, and amendments thereto.

(b) ~~The taking, using and appropriating of property as authorized by subsection (a) (2) for the purposes of protecting lands, waters and facilities and their environs and preserving the view, appearance, light, air, health and usefulness thereof by reselling such property with such restrictions in the deeds of resale as will protect the property taken for such purposes~~ this section for the purpose of access to resources or land

~~already owned by the department of wildlife and parks is hereby declared to be taking, using and appropriating of such property for public use. The proceeds arising from the resale of any property so taken shall be used by the secretary for the purpose of improving lands, waters and facilities under the jurisdiction and control of the secretary.~~

(c) Upon request of the secretary, the attorney general ~~shall~~ may proceed by proper action to acquire by condemnation all lands, or rights therein or thereon, and all water or water rights required by the department pursuant to this section.";

Also on page 1, in line 5, after "K.S.A." by inserting "2023 Supp.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "ACT"; in line 2, by striking all before the period and inserting "concerning wildlife and parks; relating to eminent domain; limiting the secretary's authority to exercise the right of eminent domain; amending K.S.A. 2023 Supp. 32-840 and repealing the existing section"; and the bill be passed as amended.

Committee on **Assessment and Taxation** recommends **SB 480** be passed.

Also, **SB 377** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 377," as follows:

"Substitute for SENATE BILL NO. 377

By Committee on Assessment and Taxation

"AN ACT concerning taxation; relating to income tax; providing a 5.25% tax rate for individuals; increasing the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction by a cost-of-living adjustment; increasing the Kansas personal exemption; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; concerning sales and compensating use tax; relating to sales of food and food ingredients; reducing the rate of tax imposed; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2023 Supp. 79-201x, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections.";

And the substitute bill be passed.

Committee on **Commerce** recommends **SB 467** be passed.

Committee on **Education** recommends **SB 407** be amended on page 1, in line 8, by striking all after the period; by striking all in lines 9 through 14; in line 18, after "higher" by inserting "from a college or university that has an accreditation recognized by the state board of education"; in line 30, by striking "with a reading endorsement" and inserting "unified"; in line 32, by striking "United States and world"; also in line 32, after "history" by inserting ", government and social studies";

On page 2, in line 1, by striking "and"; in line 2, after "(10)" by inserting "secondary education unified; and

(11) high-incidence and low-incidence";

Also on page 2, in line 9, by striking "The state board may require"; in line 10, by striking the second "to" and inserting "shall"; in line 11, by striking "year" and inserting "two years"; also in line 11, by striking "person" and inserting "individual"; and the bill be passed as amended.

Also, **SB 438** be amended on page 2, in line 20, before "students" by inserting "all"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2247** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2247," as follows:

"Senate Substitute for HOUSE BILL NO. 2247

By Committee on Financial Institutions and Insurance

"AN ACT concerning financial institutions; relating to the Kansas mortgage business act; uniform consumer credit code; pertaining to certain definitions, terms and conditions contained therein; modifying consumer loan finance charges and repayment terms; record requirements; credit card surcharge; definition of earnings and days; increasing the threshold for certain consumer loans and leases; origination fees for non-real estate transactions; clarifying license requirements to make supervised loans; exempting supervised loan license form filing notifications; transferring mortgage provisions contained in the uniform consumer credit code to the Kansas mortgage business act; clarifying entities exempt for licensing; amending K.S.A. 9-2201, 9-2202, 9-2203, 9-2208, 9-2209, 9-2212, 9-2216, 9-2216a, 9-2220, 16-207, 16-207d, 16a-1-101, 16a-1-102, 16a-1-103, 16a-1-104, 16a-1-107, 16a-1-108, 16a-1-109, 16a-1-201, 16a-1-202, 16a-1-301, 16a-2-103, 16a-2-104, 16a-2-201, 16a-2-202, 16a-2-301, 16a-2-302, 16a-2-303, 16a-2-304, 16a-2-308, 16a-2-309, 16a-2-310, 16a-2-401, 16a-2-402, 16a-2-403, 16a-2-404, 16a-2-501, 16a-2-502, 16a-2-504, 16a-2-505, 16a-2-506, 16a-2-507, 16a-2-508, 16a-2-510, 16a-3-201, 16a-3-202, 16a-3-203, 16a-3-204, 16a-3-205, 16a-3-206, 16a-3-208, 16a-3-209, 16a-3-301, 16a-3-302, 16a-3-303, 16a-3-304, 16a-3-305, 16a-3-306, 16a-3-307, 16a-3-308, 16a-3-309, 16a-3-402, 16a-3-403, 16a-3-404, 16a-3-405, 16a-4-102, 16a-4-104, 16a-4-105, 16a-4-106, 16a-4-107, 16a-4-108, 16a-4-109, 16a-4-110, 16a-4-111, 16a-4-112, 16a-4-201, 16a-4-202, 16a-4-203, 16a-4-301, 16a-4-304, 16a-5-103, 16a-5-107, 16a-5-108, 16a-5-111, 16a-5-201, 16a-5-203, 16a-5-301, 16a-6-104, 16a-6-105, 16a-6-106, 16a-6-108, 16a-6-109, 16a-6-110, 16a-6-111, 16a-6-112, 16a-6-113, 16a-6-115, 16a-6-201, 16a-6-202, 16a-6-203, 16a-6-401, 16a-6-403 and 40-1209 and repealing the existing sections.";

And the substitute bill be passed.

Also, **HB 2105**, As Further Amended by House Committee, be amended on page 1, in line 9, before "Sections" by inserting "(a)"; also on page 1, following line 10, by inserting:

"(b) This act shall not apply to a:

- (1) Bank holding company regulated by the federal reserve;
- (2) depository institution regulated by a federal banking agency; or
- (3) a subsidiary of either paragraph (1) or (2) if such subsidiary directly owns 25% of the bank holding company or depository institution's common stock."

Also on page 1, in line 15, before the period by inserting "or the commissioner's designee, who shall be the deputy commissioner of the consumer and mortgage lending division of the office of the state bank commissioner"; in line 19, by striking "Consumer directed" and inserting "Consumer-directed"; also in line 19, by striking all after "means"; by striking all in lines 20 and 21; in line 22, by striking all before "based" and inserting "offering or providing earned wage access services directly to consumers"; in line 27, after "means" by inserting "salary"; also in line 27, after "or" by inserting "other"; in line 30, after "consumer" by inserting "in exchange for the consumer's provision of services to an employer or on behalf of an employer, including on an hourly, project-based, piecemeal or other basis and including where the consumer is

acting as an independent contractor of the employer,"; in line 31, by striking "an obligor" and inserting "the employer";

On page 2, in line 1, by striking "consumer directed" and inserting "consumer-directed"; in line 4, by striking all after "delivering"; by striking all in lines 5 through 9; in line 10, by striking "obligor" and inserting "to consumers access to earned but unpaid income that is based on employment, income and attendance data obtained directly or indirectly from an employer"; in line 11, by striking all after "(i)"; by striking all in line 12; in line 13, by striking all before the period and inserting "'Fee' means a fee imposed by a provider for delivery or expedited delivery of proceeds to a consumer or a subscription or membership fee imposed by a provider for a bona fide group of services that include earned wage access services. A voluntary tip, gratuity or donation shall not be deemed a fee"; in line 19, by striking all after "(j)"; by striking all in lines 20 through 34; in line 35, by striking all before the period and inserting "'Member' means someone who has the right to receive upon dissolution, or has contributed 10% or more of the capital, of a limited liability corporation or a limited liability partnership of the registrant or applicant.

(k) "Nationwide multistate licensing system and registry" or "registry" means a multistate licensing system developed by the conference of state bank supervisors and the American association of residential mortgage regulators and operated by the state regulatory agency, LLC, for the licensing and registration of non-depository financial service entities by participating state agencies or any successor to the nationwide multisystem licensing system and registry";

Also on page 2, in line 36, by striking "(k)" and inserting "(l)"; in line 38, by striking "non-mandatory payments" and inserting "fees"; in line 43, by striking "non-mandatory payments" and inserting "fees";

On page 3, in line 3, after "person" by inserting "who employs a consumer or any other person"; in line 4, by striking "or legally"; in line 5, after "income" by inserting "in exchange for a consumer's provision of services to the employer or on behalf of the employer, including"; also in line 5, after the third comma by inserting "and"; in line 6, by striking all after the period; by striking all in lines 7 through 9; in line 17, by striking "a payment of"; also in line 17, after the second "proceeds" by inserting "remitted"; in line 18, by striking "has" and inserting "have"; in line 26, after "any" by inserting "individual,"; following line 27, by inserting:

"(s) "Principal" of a registrant means a person that oversees the daily operations of a registrant or applicant and is not an owner or key individual of such registrant or applicant.";

Also on page 3, in line 28, by striking "of funds";

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

Also on page 3, in line 43, after "member" by inserting ", partner";

On page 4, in line 1, by striking "partner" and inserting "principal"; in line 11, by striking all after "fee"; in line 12, by striking all before the period; in line 30, by striking all after "fee"; in line 31, by striking all before the period; following line 36, by inserting:

"(f) Not later than the first day of the sixth month beginning after the effective date of this act, the commissioner shall prescribe the form and content of an application for registration to provide earned wage access services pursuant to this act.

(g) Notwithstanding the provisions of subsection (a), a person who, as of January 1, 2024, was engaged in the business of providing earned wage access services in this state may, until the commissioner has processed the person's application for registration, continue to engage in the business of providing earned wage access services in this state without registering if the person has submitted an application for registration within three months after the commissioner has prescribed the form and content of an application pursuant to subsection (f) and otherwise complies with this act.

(h) The registration requirements of this act shall not apply to individuals acting as employees or independent contractors of business entities required to register.”;

On page 5, in line 21, by striking "non-mandatory payments" and inserting "all fees"; in line 23, by striking all after "(b)"; by striking all in lines 24 through 40; in line 41, by striking all before the period and inserting "The registrant shall develop and implement policies and procedures to respond to questions raised by consumers and address complaints from consumer in an expedient manner"; in line 42, before "A", by inserting "Before entering into an agreement with a consumer for the provision of earned wage access services, the registrant shall:

- (1) Inform the consumer of their rights under the agreement;
 - (2) fully and clearly disclose all fees associated with the earned wage access services; and
 - (3) fully and clearly describe how the consumer may obtain proceeds at no cost to such consumer.
- (d)";

On page 6, in line 1, by striking all after the period; by striking all in lines 2 and 3; by striking all in lines 6 through 9; in line 10, by striking all after "(f)"; by striking all in lines 11 through 17; in line 18, by striking "consumer" and inserting "The registrant shall allow a consumer to cancel the use of the provider's earned wage access services at any time without incurring a cancellation fee or penalty imposed by the provider"; following line 18, by inserting:

"(g) The registrant shall comply with all applicable federal, state and local privacy and information security laws.

(h) If a registrant solicits, charges or receives a tip, gratuity or other donation from a consumer, the registrant shall disclose:

- (1) To the consumer immediately prior to each transaction that a tip, gratuity or other donation amount may be zero and is voluntary; and
- (2) in its agreement with the consumer and elsewhere that tips, gratuities or other donations are voluntary and that the offering of earned wage access services, including the amount of proceeds a consumer is eligible to request and the frequency with which proceeds are provided to a consumer, is not contingent on whether the consumer pays any tip, gratuity or donation or on the size of any tip, gratuity or other donation.

(i) If a registrant will seek repayment of outstanding proceeds or payment of fees or other amounts owed, including voluntary tips, gratuities or other donations, in connection with earned wage access services from a consumer's depository institution, including by means of electronic funds transfer, the registrant shall do all of the following:

- (1) Inform the consumer when the provider will make each attempt to seek repayment of the proceeds from the consumer;
- (2) comply with applicable provisions of the federal electronic fund transfer act, 15

U.S.C. §1693 et seq., and any regulations adopted thereunder; and

(3) reimburse the consumer for the full amount of any overdraft or nonsufficient funds fees imposed on a consumer by the consumer's depository institution that were caused by the provider attempting to seek payment of any outstanding proceeds, fees or other payments in connection with earned wage access services, including voluntary tips, gratuities or other donations, on a date before, or in an incorrect amount from, the date or amount disclosed to the consumer. Notwithstanding the provisions of this paragraph, no provider shall be subject to the requirements of this paragraph with respect to payments of outstanding proceeds or fees incurred by a consumer through fraudulent or other unlawful means.";

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

Also on page 6, in line 20, by striking all after "(a)"; in line 21, by striking all before the semicolon and inserting "Compel or attempt to compel repayment by a consumer of outstanding proceeds or payments owed by such consumer to the registrant through any of the following means:

(1) A civil suit against the consumer in a court of competent jurisdiction;
(2) use of a third party to pursue collection of outstanding proceeds or payments on the provider's behalf;

(3) use of outbound telephone calls to attempt collection; or

(4) sale of outstanding amounts to a third-party debt collector or debt purchaser";

Also on page 6, in line 22, after the comma by inserting "a deferral fee,"; in line 23, after "proceeds" by inserting ", fees, voluntary tips, gratuities or other donations"; in line 24, by striking "seek"; by striking all in lines 25 through 38; in line 39, by striking "(f)" and inserting "charge interest or finance charges:

(d) charge an unreasonable fee to provide expedited delivery of proceeds to a consumer;

(e) share with an employer a portion of any fees, voluntary tips, gratuities or other donations that were received from or charged to a consumer for earned wage access services;

(f) condition the amount of proceeds that a consumer is eligible to request or the frequency with which a consumer is eligible to request proceeds on whether such consumer pays fees, voluntary tips, gratuities or other donations or on the size of any fee, voluntary tip, gratuity or other donation that such consumer may make to such registrant in connection with the provision of earned wage access services;

(g) mislead or deceive consumers about the voluntary nature of tips, gratuities or other donations or make representations that tips, gratuities or other donations will benefit any specific individuals if the registrant solicits, charges or receives tips, gratuities or other donations from a consumer;

(h)";

On page 7, by striking all on lines 1 through 3; in line 5, after the semicolon by inserting "or"; in line 7, by striking the semicolon; also in line 7, by striking "or"; by striking all in lines 8 and 9;

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

Also on page 7, by striking all in lines 14 through 21; following line 21, by inserting:

"Sec. 7. (a) For purposes of the laws of this state:

(1) Earned wage access services provided by a registrant in accordance with this chapter shall not be considered to be:

(A) A loan or other form of credit or the registrant a creditor or lender with respect thereto;

(B) in violation of or noncompliant with the laws of this state governing the sale or assignment of, or an order for, earned but unpaid income; or

(C) money transmission or the registrant a money transmitter with respect thereto.

(2) Fees, voluntary tips, gratuities or other donations paid to such a registrant in accordance with this chapter shall not be considered interest or finance charges.

(b) A registrant that provides proceeds to a consumer in accordance with this act shall not be subject to the provisions of the uniform consumer credit code in connection with such registrant's earned wage access services.

(c) If there is a conflict between the provisions of this act and any other state statute, the provisions of this act control.";

Also on page 7, in line 41, after "partner" by inserting ", member, principal";

On page 8, in line 1, after "officers," by inserting "members,"; in line 16, by striking "If the registrant's records are located outside this state,"; in line 18, by striking "calendar" and inserting "business"; also in line 18, after "days" by inserting "of the commissioner's request"; in line 41, after "act" by inserting "and applicable federal law";

On page 9, in line 42, after "laws" by inserting "with any attorney general or district attorney with jurisdiction to enforce criminal violations of this act";

On page 10, in line 20, after "partner" by inserting ", member, owner, principal"; in line 23, after "check" by inserting "to be submitted to the office of the state bank commissioner"; in line 26, after "The" by inserting "office of the state bank"; in line 29, after the third "the" by inserting "office of the state bank"; in line 32, by striking all after "The"; by striking all in lines 33 through 36; in line 37, by striking all before the period and inserting "Kansas bureau of investigation shall release all records of adult convictions, adjudications, and juvenile adjudications in Kansas and of another state or country to the office of the state bank commissioner"; in line 37, after "The" by inserting "office of the state bank";

On page 11, in line 3, by striking "2028" and inserting "2029"; in line 5, by striking "2028" and inserting "2029"; in line 8, by striking all before "act" and inserting "rules and regulations filing"; also in line 8, by striking "and"; in line 10, after "act" by inserting "; and

(14) require use of a nationwide multi-state licensing system and registry for processing applications, renewals, amendments, surrenders and any other activity that the commissioner deems appropriate. The commissioner may establish relationships or contracts with the nationwide multi-state licensing system and registry or other entities to collect and maintain records and process transaction fees or other fees related to applicants and licensees, as may be reasonably necessary to participate in the nationwide multi-state licensing system and registry. The commissioner may report violations of the law, as well as enforcement actions and other relevant information to the nationwide multi-state licensing system and registry. The commissioner may require any applicant or licensee to file reports with the nationwide multi-state licensing system and registry in the form prescribed by the commissioner";

Also on page 11, in line 22, by striking "2028" and inserting "2029"; in line 24, by

striking "2028" and inserting "2029"; in line 43, by striking "2028" and inserting "2029";

On page 12, in line 2, by striking "2028" and inserting "2029";

On page 13, in line 10, by striking "officer designated by the commissioner" and inserting "commissioner's designee"; in line 32, after "the" by inserting "act,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 473** be passed.

Committee on **Public Health and Welfare** recommends **SB 433** be passed.

Committee on **Transportation** recommends **SB 462** be passed.

Also, **SB 426** be amended on page 2, in line 8, by striking "law"; in line 9, by striking all before "and" and inserting "firefighter"; in line 14, by striking "law enforcement officer" and inserting "firefighter"; and the bill be passed as amended.

Committee on **Utilities** recommends **SB 457** be passed.

Also, **SB 455** be amended on page 2, in line 4, by striking "180" and inserting "240"; in line 42, after "(4)" by inserting "In any proceeding conducted pursuant to this subsection relating to the abandonment or retirement of a fossil fuel-fired electric generating unit, the commission shall not approve the abandonment or retirement of such electric generating unit, authorize a surcharge or issuance of bonds for the decommissioning of such electric generating unit or take any other action that authorizes or allows for the recovery of costs for the retirement of such electric generating unit, including recovery of stranded assets, unless the commission determines that relevant evidence sufficiently supports the commission to find that:

(A) The utility will replace the abandoned or retired electric generating unit with new electric generating capacity that:

(i) Is equal to or greater than the amount of electric generating capacity necessary to meet the minimum reserve capacity requirements established pursuant to accreditation rules of the regional transmission organization or independent system operator responsible for accrediting capacity within the utility's service area based on an estimate of the average replacement capacity at the time construction of such replacement capacity begins;

(ii) is dispatchable by either the utility or the regional transmission organization or independent system operator responsible for balancing load within the utility's service area; and

(iii) maintains or improves the reliability and resilience of the electric transmission grid;

(B) the abandonment or retirement is not expected to harm the utility's customers or decrease the utility's regional rate competitiveness by causing the utility to experience higher costs than would be expected by continuing to operate such electric generating unit in compliance with applicable law, unless, consistent with the integrated resource planning framework utilized by the commission, the commission determines that such higher costs are justified by other factors that are specified by the commission. The utility shall provide the commission with evidence of all known direct and indirect costs of abandonment or retirement of the electric generating unit and demonstrate that cost savings or avoided or mitigated cost increases to customers will occur as a result of the abandonment or retirement of the electric generating unit; and

(C) unless the abandonment or retirement of the electric generating unit is required to comply with federal or state laws, such abandonment or retirement is for economic

purposes and for the benefit of customers and not principally based on achieving environmental, social and governance goals that are not mandated by federal or state laws.

(5)";

On page 3, in line 10, by striking "180" and inserting "240"; in line 18, after "(d)" by inserting "(1) It is the intent of the legislature that when a public utility files a petition for a determination of ratemaking principles and treatment pursuant to subsection (b) or (c), consistent with the state corporation commission's customary practices, the commission shall:

(A) Issue a determination on such petition in an expeditious manner; and

(B) when circumstances allow, attempt to issue such determination in a period of time that is less than the 240-day deadline to issue such determination established pursuant to subsection (b) or (c).

(2) In furtherance of such legislative intent, a public utility that intends to file a petition for a determination of ratemaking principles and treatment pursuant to this section shall provide notice to the commission of such public utility's intent to file such petition not less than 30 days before filing a petition pursuant to this section. Upon receipt of such notice, the commission shall provide notice of the public utility's intent to file a petition pursuant to this section to each person or entity that was a party to or an intervenor in the public utility's most recently concluded base rate case.

(3) In any proceeding conducted pursuant to this section, any application for intervention in such proceeding shall be submitted not later than 10 days after the public utility's filing of a petition for a determination of ratemaking principles and treatment. The commission shall adopt a procedural schedule for the proceeding not later than 30 days after a public utility files a petition for a determination of ratemaking principles and treatment pursuant to this section.

(e)";

Also on page 3, in line 32, by striking "(d)" and inserting "(e)";

On page 4, following line 8, by inserting:

"(i) The commission shall prepare and submit an annual report to the legislature by December 1 of each year providing:

(1) The number of requests by utilities to retire electric generating units in the state, the nameplate capacity of each of those units and whether the request was approved or denied by the commission;

(2) the impact of any commission-approved retirement of an electric generating unit on the:

(A) Utility's and state's generation fuel mix;

(B) required capacity reserve margins for the utility;

(C) need for capacity additions or expansions at new or existing facilities as a result of the retirement; and

(D) need for additional power or capacity reserve arrangements; and

(3) whether the retirement resulted in stranded costs for ratepayers that will be recovered by the utility through securitization or some other charge on customer bills.

(j) The provisions of subsection (c)(4) shall expire on July 1, 2034.";

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

On page 1, in the title, in line 2, after the semicolon by inserting "extending the

timeline for the commission to make a predetermination of ratemaking principles and treatment prior to the construction of or acquiring a stake in an electric generation or transmission facility; establishing procedural requirements to support the timely and expeditious completion of such proceedings; prohibiting the commission from authorizing the retirement of fossil fuel-fired electric generating facilities unless certain requirements are met;"; in line 3, after the semicolon by inserting "requiring the commission to report annually on public utility requests to retire fossil fuel-fired electric generating facilities;"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 272** be amended on page 1, in line 7, by striking "2022" and inserting "2023"; in line 34, by striking "2023" and inserting "2024"; in line 35, by striking "\$18,000,000" and inserting "\$15,000,000";

On page 2, in line 7, by striking "\$18,000,000" and inserting "\$15,000,000"; in line 14, by striking "2022" and inserting "2023";

On page 1, in the title, in line 3, by striking "2022" and inserting "2023"; and the bill be passed as amended.

On motion of Senator Tyson, the Senate adjourned until 10:00 a.m., Wednesday, February 21, 2024.

Journal of the Senate

THIRTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 21, 2024, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

YOU Are GOD - THE only GOD!
Psalm 139:1-16; Romans 1:18-32

Lord, in humble appreciation we must acknowledge that there are no adjectives big enough, wide enough or deep enough to embrace Your being. There are no words to fully capture or enable us to apprehend the scope of Your being. YOU ARE GOD!

Your Word, in Psalm 139:1-16, reveals that there's no place that any of us can hide from Your presence. You can't be outsmarted, outdone, outpaced or overwhelmed. You can't be caught off-guard, overpowered, shocked, stunned or dumbfounded by anything. YOU ARE GOD!

And even though we are created by You and our human understanding is vastly limited, You have given us an awareness that You are vastly unlimited. You are unrestricted and unrestrained in all that You choose to do. So, thank You for choosing to reveal Yourself and even to share with us various qualities of Your Being along with the many blessings You provide. Your mercies are new every day. Your compassion fails not and Your grace is sufficient for all our needs.

Keep us ever aware of Your loving kindness and save us from being a part of that group mentioned in Romans 1:18-32 where they refused to glorify You as God and were not thankful. Help us to maintain a daily awareness and appreciation that YOU ARE GOD! In Jesus' Name, 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 526, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; creating the crime of aggravated sexual extortion and providing criminal penalties therefor; adding making a demand for money or other thing of value to the elements of the crime of sexual extortion; amending K.S.A. 21-5515 and repealing the existing section, by Committee on Federal and State Affairs.

SB 527, AN ACT concerning abortion; relating to unlawful coercion to obtain an abortion; creating the crime of coercion to obtain an abortion; providing the penalties

therefor; providing for enhanced criminal penalties for offenses committed with the intent to compel a woman to obtain an abortion; amending K.S.A. 21-6804 and repealing the existing section, by Committee on Federal and State Affairs.

SB 528, AN ACT concerning abortion; amending the woman's-right-to-know act; requiring a woman to view an ultrasound image of her unborn child during the 24-hour waiting period prior to the abortion; amending K.S.A. 65-6709 and repealing the existing section, by Committee on Federal and State Affairs.

SB 529, AN ACT creating the Dwayne Peaslee technical training center district act; authorizing submission of the question of creating the Dwayne Peaslee technical training center district to the voters of Douglas county; providing for the establishment of such district, if approved, and the powers and duties of its board of directors; authorizing such district to levy a tax not exceed 0.5 mills on the tangible taxable property of the district, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 523**.

Judiciary: **SB 522**, **SB 525**.

Ways and Means: **SB 524**; **HB 2760**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator Dietrich introduced the following Senate resolution, which was read:

A RESOLUTION congratulating and commending the award-winning educators of the Milken Educator Awards Program and the Kansas Horizon Award Program.

WHEREAS, The Milken Educator Awards Program, established by the Milken Family Foundation, provides recognition and financial awards to elementary and secondary school teachers, principals, and other educational professionals who are furthering excellence in education; and

WHEREAS, Alex Lahasky, an educator at Blue Valley West High School in Blue Valley USD 229, and Matthew Mayeske, an educator at Gardner Edgerton High School in Gardner USD 231, have been selected as the Kansas recipients of the 2023 Milken Educator Awards; and

WHEREAS, The Kansas Horizon Award Program, sponsored by the Kansas State Department of Education and Capitol Federal, allows school districts across the state to nominate one elementary and one secondary teacher who have successfully completed their first year teaching and are identified and recognized as teachers who perform in a way that distinguishes them as outstanding; and

WHEREAS, Currently in its 24th year, the Kansas Horizon Award Program has selected recipients representing elementary and secondary classrooms from across the state, and they are from Region 1: Braiden Allen, Haven Grade School, Haven USD 312; Marlene Barajas, Dodge City Middle School, Dodge City USD 443; Jami Dryden, Fort Larned Elementary School, Fort Larned USD 495; Zachariah Harvey, Oskaloosa High School, Oskaloosa USD 341; Alexis Hattabaugh, Canton Galva Elementary School, Canton Galva USD 419; Jenna Kimble, Union Valley Elementary School, Buhler USD 313; Ashlyn Kuhlmann, Manhattan High School, Manhattan-Ogden USD 383; Ashley Sharbutt, Hutchinson Middle School, Hutchinson USD 308; from Region

2: Michelle Barnes, Woodlawn Elementary School, Lawrence USD 497; Blair Conley, Riverside Elementary School, Emporia USD 253; Sarah Cormier, Jackson Heights High School, Jackson Heights USD 335; Erica Harper, Atchison Co. Elementary School, Atchison USD 377; Jacoby Johnson, Prairie View High School, Prairie View USD 362; Allison Jones, Emporia Middle School, Emporia USD 253; Leslie McCaffrey, Williams Science and Fine Arts Magnet, Topeka USD 501; Jodee Nickell, Humboldt High School, Humboldt USD 258; from Region 3: Garrett Bates, Paola Middle School, Paola USD 368; Janelle Craig, Olathe West High School, Olathe USD 233; Larry Gazaway, Broadmoor Elementary School, Louisburg USD 416; Richard Gutierrez, Turner Elementary School, Turner USD 202; Brennan Mills, Indian Woods Middle School, Shawnee Mission USD 512; Elizabeth Palmer, Rosehill Elementary School, Shawnee Mission USD 512; Jonas Pippett, Gardner Edgerton High School, Gardner Edgerton USD 231; Taylor Flaming, Starside Elementary School, De Soto USD 232; from Region 4: Drew Carney, El Dorado Middle School, El Dorado USD 490; Ivy Daugherty, Maize South Middle School, Maize USD 266; Shae Enegren, Oak Street Elementary School, Goddard USD 265; Makinsey Farber, Prairie Elementary School, Haysville USD 261; Morgan Kaiser, Valley Center High School, Valley Center USD 262; Haley Miller, Maize South Elementary School, Maize USD 266; Brianna Oglesby, Prairie Creek Elementary School, Andover USD 385; and Elizabeth Toribio, Eisenhower Middle School, Goddard USD 265: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the award-winning educators of the Milken Educator Awards Program and the Kansas Horizon Award Program; and

Be it further resolved: That the Secretary of the Senate shall send 35 enrolled copies of this resolution to the Commissioner of Education, Dr. Randy Watson, including copies for forwarding to each of the teachers so honored.

On emergency motion of Senator Dietrich **SR 1743** was adopted by voice vote.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted to the Senate for confirmation were considered:

Senator Alley moved the following appointments:

By the Governor

On the appointment to the:

State Fire Marshal:

Mark Engholm, At the pleasure of the governor

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Corporation Commission:

Andrew French, Term ends March 15, 2028

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Ware, Warren, Wilborn.

Nays: Steffen, Tyson.

Present and Passing: Baumgardner, Thompson.

The appointment was confirmed.

CONSIDERATION OF ORIGINAL MOTIONS

The motion by Senator Holland on **SB 302** to withdraw from the Committee on **Financial Institutions and Insurance** and advance the bill to **General Orders** below the line, was not adopted.

The motion by Senator Holland on **SB 328** to withdraw from the Committee on **Federal and State Affairs** and advance the bill to **General Orders** below the line, was not adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Erickson in the chair.

On motion of Senator Erickson the following summary report was adopted:

SB 338, SB 339, SB 340, SB 345, SB 356, SB 362, SB 398, SB 405, SB 433, SB 462, SB 467, SB 473 be passed.

SB 318, SB 434 be passed as amended by Committee of the Whole.

S Sub HB 2247 be passed by adoption of the committee report recommending a substitute bill.

SB 162, SB 272, SB 406, SB 423; HB 2105 be passed as amended by adoption of the committee reports.

SB 190 be passed as amended by adoption of the committee report and further amended by Committee of the Whole.

SB 493 be passed over and retain a place on the calendar.

COMMITTEE OF THE WHOLE ACTIONS

SB 162 be amended by the adoption of the committee amendments.

SB 190 be amended by the adoption of the committee amendments, be further amended by motion of Senator Warren; on page 1, in line 8, by striking "2022 Supp."; in line 34, by striking "2022 Supp.";

On page 4, in line 30, by striking "2022 Supp."; in line 34, by striking "2022 Supp.";

On page 1, in the title, in line 4, by striking "2022 Supp."

and **SB 190** be passed as further amended.

SB 272 be amended by the adoption of the committee amendments.

SB 318, be amended by motion of Senator Olson; on page 1, following line 8, by

inserting:

"Section 1. K.S.A. 12-4410 is hereby amended to read as follows: 12-4410. (a) The accused person shall be permitted to inspect all matters relevant to the case and to present or provide to the city attorney matters that are relevant to the case.

(b) The city attorney shall inspect and review every audio and video recording relevant to the case that is presented or provided to the city attorney by the accused person or the accused person's counsel, including, but not limited to, a recording made and retained by law enforcement using a body camera or vehicle camera as defined by K.S.A. 45-254, and amendments thereto.

(c) Depositions shall not be taken or used except by written agreement of both parties filed with the court or by order of the court upon such conditions as the court may prescribe.;

Also on page 1, in line 30, after "K.S.A." by inserting "12-4410 and"; also in line 30, by striking "is" and inserting "are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "fingerprinting" and inserting "the Kansas code of procedure for municipal courts; requiring the city attorney to review certain audio and video evidence"; in line 5, after "K.S.A." by inserting "12-4410 and"; in line 6, by striking "section" and inserting "sections"

SB 318 be further amended by motion of Senator Warren; on page 1, in line 13, by striking "2022 Supp."; in line 17, by striking "8-142,";

Also on page 1, in the title, in line 3, by striking "vehicle"; in line 4, by striking all before "driving" and the bill be passed as amended.

SB 338 be passed.

SB 339 be passed.

SB 340 be passed.

SB 345 be passed.

SB 356 be passed.

SB 362 be passed.

SB 398 be passed.

SB 405 be passed.

SB 406 be amended by the adoption of the committee amendments.

SB 423 be amended by the adoption of the committee amendments.

SB 433 be passed.

SB 434 be be amended by motion of Senator Francisco; on page 3, in line 27, after "hair" by inserting ", sugaring" and the bill be passed as amended.

SB 462 be passed.

SB 467 be passed.

SB 473 be passed.

SB 493 be passed over and retain a place on the calendar.

HB 2105 be amended by the adoption of the committee amendments.

S Sub HB 2247 be passed by adoption of the committee report recommending a substitute bill.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 333, AN ACT concerning the state use law; extending the expiration provision for the state use law committee; amending K.S.A. 75-3322c and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Ware, Warren, Wilborn.

Nays: Thompson, Tyson.

The bill passed, as amended.

SB 359, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Kansas City Chiefs license plate, the sporting Kansas City license plate, the Sedgwick county zoo license plate and the Kansas City royals license plate, the Kansas City royals license plate and the Kansas City current license plate was considered on final action.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Doll, Tyson.

Present and Passing: Francisco, McGinn.

The bill passed, as amended.

SB 381, AN ACT concerning coroners; relating to appointment in judicial districts; authorizing the board of county commissioners of any county that is not the most populous county in a multiple-county judicial district to appoint a coroner to serve as the district coroner for the county; amending K.S.A. 22a-226 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 387, AN ACT concerning education; relating to school districts; open enrollment; providing for continued enrollment of students who attend a school district of nonresidence; allowing parents to appeal the denial of an open enrollment application; amending K.S.A. 2023 Supp. 72-3123 and repealing the existing section, was

considered on final action.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Francisco, Holland, Reddi.

The bill passed, as amended.

EXPLANATION OF VOTE

Many school districts that nonresident transfer policies. It would be good to have an audit of how many schools have a nonresident transfer policy, what do those policies encompass, data on number of nonresidents transfers and where they are coming from and why, how many were denied and why. Without completely understanding what is working and not what is not working. It is difficult to define the problem. While the legislation states a legislative post audit will be conducted in 2027 for an audit of nonresident student transfers, I believe it would be best to have that information first to define the problem and develop legislation accordingly. This is also an issue of local control. Local Board of Education members are elected by their community to make the best decisions for their school district. In most school districts, the BOE members are volunteers and serve on many subcommittees as well, and often they do not get paid. They are very dedicated to their community, parents, and students. The appeal process is a concern. There is no other appeal process that I'm aware of that would take a BOE decision to the Commissioner of Education.—*USHA REDDI*

Senator Francisco requests the record to show she concur with the "Explanation of Vote" offered by Senator Reddi on **SB 387**.

SB 420, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving violations of personal rights; eliminating the element of concealment from the crime of breach of privacy related to installing or using a device to photograph or record another identifiable person under or through the clothing being worn by that other person or another identifiable person who is nude or in a state of undress; amending K.S.A. 21-6101 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 430, AN ACT concerning workers compensation; relating to coverage under the act, notice, benefits, liability limitations, definitions, evidentiary standards, hearings, admission of evidence, procedures, settlements and other matters; providing coverage for members of the Kansas national guard under the workers compensation act; limiting

reduction to awards for functional impairment on the basis of preexisting impairment to preexisting impairment to the same physical structure as the body part injured; limiting reductions to benefits based on retirement benefits; defining registered mail; requiring a judicial determination of dependency for immediate payment of death benefit; increasing the maximum amount of death benefits; extending the time period for payments to dependent children when in schools; providing for a yearly adjustment to the maximum death benefit to commence in 2027; increasing the minimum weekly payment for permanent total disability; adding certain functional impairment requirements to the determination of permanent total disability; increasing the minimum weekly payment amount for temporary total disability; providing that loss of use of a scheduled member shall be the percentage of functional impairment the employee sustained on account of the injury; reducing the percentage of functional impairment required for eligibility for permanent partial general disability compensation; increasing employers' maximum liability for permanent total disability, temporary total disability, permanent or temporary partial disability and permanent partial disability and providing for a yearly adjustment in such maximum liability limits to commence in 2027; applying an employer's credit for voluntary payments of unearned wages to any award; increasing the maximum employer liability for unauthorized medical care; increasing the evidentiary standard for future medical treatment after maximum medical improvement in certain circumstances; limiting proceedings for post-award medical benefits; creating a presumption that no costs or attorney fees be awarded when requests for post-award medical benefits are provided within 30 days; defining money for purposes of the average weekly wage; excluding the first week of employment in the calculation of an employee's average weekly wage under certain circumstances; allowing payment of certain benefits by electronic funds transfer or payment card; increasing employer liability for expenses of claimant for required examinations; establishing procedures for neutral healthcare examinations and for the exchange of medical reports between parties; providing for the admission of medical reports without necessity of additional foundation subject to compliance with certain procedures; extending deadlines for notice to an employer by an employee of injury; eliminating the three-year deadline for a claimant's motion to extend time for proceeding to avoid dismissal for lack of prosecution; prohibiting an award from including future medical treatment unless a specified standard of proof is met; clarifying certain language referencing a claimant; providing a procedure for expedited settlement on written stipulations by means of a form established by the director of workers compensation; allowing the record of hearings by digital recording and transcription by either a court reporter or a notary public; providing that certified reporters fees be taxed as costs if no record is taken; providing for the workers compensation fund to implead a principal as a party in a proceeding; providing for certain other changes to the workers compensation act; amending K.S.A. 44-501, 44-508, 44-510b, 44-510c, 44-510d, 44-510e, 44-510f, 44-510h, 44-510k, 44-511, 44-512, 44-515, 44-516, 44-519, 44-520, 44-523, 44-525, 44-526, 44-531, 44-534a, 44-552 and 44-566a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher,

Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

EXPLANATION OF VOTE

I vote AYE and stand in strong support of **SB 430**. While I believe the proposed permanent total disability indemnity cap of \$400,000 is woefully inadequate, I also believe this bill, when considered in its entirety, is a solid step forward in both recognizing and compensating those Kansas workers who are injured on the job.—Tom HOLLAND

SB 431, AN ACT concerning the state capitol; directing the capitol preservation committee to approve plans for a memorial honoring the life of Emil Joseph Kapaun, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 376** be amended on page 1, in line 7, by striking "2044" and inserting "2029"; in line 23, by striking "2044" and inserting "2029"; and the bill be passed as amended.

Also, **SB 482** be amended on page 1, in line 14, after "(b)" by inserting "Except as otherwise provided in this section,";

On page 2, in line 7, by striking all after "(A)"; by striking all in lines 8 through 30; in line 31, by striking all before the period and inserting "The following heading:

"NOTICE OF PROPOSED PROPERTY TAX INCREASE AND PUBLIC HEARINGS

[Current year] [County name] County Revenue Neutral Rate Notice

This is NOT a bill. Do not remit payment.";

(B) the following statement:

"This notice contains estimates of the tax on your property and proposed property tax increases. THE ACTUAL TAX ON YOUR PROPERTY MAY INCREASE OR DECREASE FROM THESE ESTIMATES. Governing bodies of taxing subdivisions must vote in order to exceed the Revenue Neutral Rate to increase the total property taxes collected. Governing bodies will vote at public hearings at the dates, times and locations listed. Taxpayers may attend and comment at the hearings. Property tax statements will be issued after mill rates are finalized and taxes are calculated.";

(C) the appraised value and assessed value of the taxpayer's property for the current year and the previous year;

(D) the amount of property tax of each taxing subdivision on the taxpayer's

property from the previous year's tax statement in a column titled: "[Previous year] Tax";

(E) the estimated amount of property tax for the current year of each taxing subdivision on the taxpayer's property based on the revenue neutral rate of each taxing subdivision in a column titled: "[Current year] Tax at Revenue Neutral Rate";

(F) the estimated amount of property tax for the current year of each taxing subdivision on the taxpayer's property based on either: (i) The revenue neutral rate for a taxing subdivision that does not intend to exceed its revenue neutral rate; or (ii) the proposed tax rate provided by the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate in a column titled: "[Current year] Maximum Tax";

(G) the difference between the amount of the current year's maximum tax and the previous year's tax, reflected in dollars and a percentage, for each taxing subdivision in a column titled: "[Current year] Maximum Tax Exceeding [Previous year] Tax";

(H) the date, time and location of the public hearing of each taxing subdivision that notified the county clerk of its proposed intent to exceed its revenue neutral rate in a column titled: "Date, Time and Location of Public Hearing"; and

(I) for each taxing subdivision public hearing listed pursuant to subparagraph (H), the difference between the current year's maximum tax and the estimated amount of property tax based on the revenue neutral rate of such taxing subdivision in a column titled: "[Current year] Maximum Tax Exceeding Tax at Revenue Neutral Rate";

Also on page 2, in line 33, by striking all after "include"; in line 34, by striking all before "and" and inserting "the previous year's tax amount"; in line 35, by striking "such" and inserting "the statutory mill";

On page 3, in line 9, after "hearing" by inserting "and on the same day as the commencement of the public hearing";

On page 5, following line 22, by inserting:

"(i) Notwithstanding any provisions to the contrary, in the event any governing body does not comply with the provisions of subsection (b) because such governing body did not intend to exceed its revenue neutral rate but the final taxable assessed valuation of such taxing subdivision used to calculate the actual tax levy is less than the estimated assessed valuation used to calculate the revenue neutral rate, such governing body shall be permitted to levy a tax rate that generates the same amount of property tax revenue as levied the previous year or less.";

On page 1, in the title, in line 3, after the semicolon by inserting "modifying and prescribing the contents of the revenue neutral rate public hearing notice; permitting a tax levy that generates the same amount of revenue as the previous year when the final assessed valuation decreases compared to the estimated assessed valuation; requiring that the governing body's vote be conducted on the same day as the commencement of the public hearing"; and the bill be passed as amended.

SB 484 be amended on page 1, in line 16, by striking "2,000" and inserting "12,000"; and the bill be passed as amended.

HB 2465 be amended on page 1, following line 7, by inserting:

"Section 1. K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the

federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's

employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount ~~deducted by reason of~~ of any interest expense paid or accrued in a previous taxable year but allowed as a deduction pursuant to section 163 of the federal internal revenue code in the current taxable year by reason of the carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code ~~of 1986, as in effect on January 1, 2018. For purposes of this paragraph, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable pursuant to section 163 of the federal internal revenue code if the limitation pursuant to section 163(j) of the federal internal revenue code did not exist.~~

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) ~~(1) For taxable years beginning after December 31, 1976, 2021, the amount of the any federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C(a). For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.~~

(2) For taxable years beginning after December 31, 2019, and ending before January 1, 2022, the amount of the federal employee retention credit disallowance under rules similar to the rules of 26 U.S.C. § 280C(a). The taxpayer shall be required to prove that such taxpayer previously filed Kansas income tax returns and paid Kansas income tax on the disallowed amount. Notwithstanding any other provision of law to the contrary, any claim for refund or amended return relating to this subparagraph shall be allowed to be filed on or before April 15, 2025, and no claim for refund or amended return shall be allowed or filed after April 15, 2025.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual

income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including

guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) (1) For all taxable years commencing after December 31, 2020, the amount

of any interest expense paid or accrued in the current taxable year and disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(2) For purposes of this paragraph, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable pursuant to section 163 of the federal internal revenue code if the limitation pursuant to section 163(j) of the federal internal revenue code did not exist.

(3) For tax year 2021, an amount equal to the sum of any interest expenses paid or accrued in tax years 2018, 2019 and 2020 less the sum of amounts allowed as a deduction pursuant to section 163 of the federal internal revenue code in tax years 2018, 2019 and 2020.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(xxix) For taxable years beginning after December 31, 2017, for an individual taxpayer who carried back federal net operating losses arising in a taxable year beginning after December 31, 2017, and before January 1, 2021, pursuant to section 172(b)(1) of the federal internal revenue code as amended by the coronavirus aid, relief, and economic security act (CARES act), the amount of such federal net operating loss carryback for each applicable year. If the amount of such federal net operating loss carryback exceeds the taxpayer's Kansas adjusted gross income for such taxable year, the amount thereof that exceeds such Kansas adjusted gross income may be carried forward as a subtraction modification in the following taxable year or years until the total amount of such federal net operating loss carryback has been deducted, except that no such unused amount shall be carried forward for deduction as a subtraction modification after the 20th taxable year following the taxable year of the net operating loss. Notwithstanding any other provision of law to the contrary, an extension of time shall be allowed for a claim for refund or amended return for tax years 2018, 2019 or 2020 limited to the application of the provisions of this paragraph and such claim for refund or amended return must be filed on or before April 15, 2025.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 2. K.S.A. 2023 Supp. 79-32,284 is hereby amended to read as follows: 79-32,284. (a) K.S.A. 2023 Supp. 79-32,284 through 79-32,289, and amendments thereto, shall be known and may be cited as the salt parity act.

(b) The legislature finds and declares that:

(1) The deductibility of state income taxes should be the same for C corporations, S corporations and partnerships; and

(2) the purpose of the tax credit in K.S.A. 2023 Supp. 79-32,288, and amendments thereto, is to avoid double taxation of income on electing pass-through entity owners.

(c) The provisions of this act shall be a part of and supplemental to the Kansas income tax act.";

Also on page 1, in line 8, by striking "2022" and inserting "2023"; in line 10, by striking "2022" and inserting "2023"; in line 12, by striking "5.7% of" and inserting "the highest rate of tax for the applicable income tax year under K.S.A. 79-32,110(a), and amendments thereto, multiplied by"; also in line 12, by striking "resident and"; in line 17, by striking "not" and inserting "calculated as either: (A) The sum of income attributable to the state and income not attributable to the state; or (B) income"; in line 18, after the period by inserting "The electing pass-through entity must use the same method of calculation for all resident electing pass-through entity owners.";

On page 2, in line 18, after "(d)" by inserting "Any modification to federal taxable income pursuant to K.S.A. 79-32,117 or 79-32,138, and amendments thereto, and any expensing deduction allowed pursuant to K.S.A. 79-32,143a, and amendments thereto, that is attributable to the activities of an electing pass-through entity in the taxable year shall be claimed on:

(1) The electing pass-through entity's return; and

(2) each electing pass-through entity owner's individual return, in the same proportion and manner as would have applied without the election under K.S.A. 2023 Supp. 79-32,286, and amendments thereto.

(e)";

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

Also on page 2, in line 26, by striking "2022" and inserting "2023"; also in line 26, after "Supp." by inserting "79-32,117, 79-32,284 and"; also in line 26, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "relating to Kansas adjusted gross income; providing subtraction modifications for certain federal credit disallowances and the employee retention credit disallowance and to permit the carryforward of certain net operating losses; clarifying the disallowed business interest expense deduction"; also in line 4, by striking "2022" and inserting "2023"; also in line 4, after "Supp." by inserting "79-32,117, 79-32,284 and"; in line 5, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Commerce** recommends **HB 2545** be amended on page 4, in line 26, after "(B)" by inserting "except as provided in subsection (f)"; in line 36, after "(f)" by inserting "If an occupant has affirmatively agreed to electronic delivery in writing, in either paper or electronic form,"; in line 38, after the first period by inserting "The provisions of subsection (e)(1)(B) shall not apply to an occupant that has not affirmatively agreed to electronic delivery in writing as provided by this subsection.";

On page 1, in the title, in line 4, after "agreements" by inserting "upon consent by an occupant"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 491** be amended on page 3, in line 13, after the semicolon by inserting "and"; in line 18, by striking all after "license"; by striking all in lines 19 and 20; in line 21, by striking all before the period; in line 26, after "(A)" by inserting "The emergency medical services board for applicants as defined in K.S.A. 65-6129, and amendments thereto, in connection with such application as described in K.S.A. 65-6129, and amendments thereto;

(B)";

Also on page 3, in line 29, by striking "(B)" and inserting "(C)";

On page 4, in line 1, after "(C)" by inserting "the attorney general for applicants as defined in K.S.A. 75-7b01, and amendments thereto, in connection with such application as described in K.S.A. 75-7b04, and amendments thereto;

(D)";

Also on page 4, in line 4, by striking "(D)" and inserting "(E)";

On page 5, in line 2, by striking "an applicant or licensee" and inserting "applicants or licensees"; in line 3, by striking "65-28,102" and inserting "65-2802"; in line 10, by striking all after "(F)"; by striking all in lines 11 and 12; in line 13, by striking "(G)"; in line 16, by striking "a licensee" and inserting "licensees"; in line 29, by striking "an applicant" and inserting "applicants"; in line 30, by striking "a licensee" and inserting "licensees"; in line 32, after "thereto" by inserting ";

(L) the insurance commissioner for applicants for licensure as an insurance agent as defined in K.S.A. 40-4902, and amendments thereto, in connection with such application as described in K.S.A. 40-4905, and amendments thereto; and

(M) the insurance commissioner for applicants as defined in K.S.A. 40-5501, and amendments thereto, in connection with such application as described in K.S.A. 40-5505, and amendments thereto";

Also on page 5, in line 38, by striking "an applicant" and inserting "applicants";

On page 6, in line 23, by striking "the an applicant" and inserting "applicants"; in line 25, by striking "an applicant" and inserting "applicants"; by striking all in lines 32 through 38;

On page 7, in line 3, by striking "any licensee" and inserting "licensees"; in line 6, by striking "a licensee" and inserting "licensees"; in line 9, by striking "an applicant" and inserting "applicants"; by striking all in lines 26 through 28;

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

On page 9, in line 11, by striking the second "of" and inserting "for"; in line 21, by striking "of" and inserting "for"; in line 23, by striking "of" and inserting "for";

On page 19, in line 3, by striking "the clerk of"; in line 9, by striking "the clerk of"; in line 19, by striking all after "to"; in line 21, by striking "clerk of the"; in line 25, by striking all after "to";

On page 69, in line 22, after "(2)" by inserting "Whenever the commissioner requires fingerprinting, a background check, or both, any associated costs shall be paid by the applicant.

(3)";

On page 72, in line 2, before "The" by inserting "(1)"; following line 5, by inserting:

"(2) Whenever the commissioner requires fingerprinting, a background check, or both, any associated costs shall be paid by the applicant.";

On page 116, in line 22, by striking "licensee" and inserting "fingerprint candidate";

On page 191, in line 26, by striking "any" and inserting "a state and national"; also in line 26, by striking "of the applicant" and inserting "record check";

On page 193, in line 19, by striking "any" and inserting "a state and national"; in line 20, by striking "of the applicant" and inserting "record check";

On page 197, in line 43, after "conducting" by inserting "a state and national"; also in line 43, by striking "records checks" and inserting "record check";

On page 198, in line 1, by striking all after "thereto"; in line 2, by striking all before the period; and the bill be passed as amended.

Also, **SB 500** be amended on page 1, in line 24, by striking "illegal"; in line 25, by striking all before the comma and inserting "any violations provided in subparagraph (C)";

On page 2, in line 1, after "vehicles" by inserting "unless the district or municipal court has determined pursuant to a written order that the individual shall fulfill any requirements set forth by the court prior to the suspension. Failure to abide by the terms of the order shall result in the court notifying the division of vehicles that the individual's license shall be suspended for the failure to comply with a traffic citation"; in line 28, by striking "and"; in line 31, after "care" by inserting ";

(f) in going to or returning from purchasing groceries or fuel for their vehicle; and

(g) in going to or returning from any religious worship service held by a religious organization";

On page 3, following line 12, by inserting:

"(C) Violations of the following sections or violations of substantially similar offenses under a city ordinance shall not provide the basis for a violation of this section: K.S.A. 8-1513, 8-1532, 8-1534, 8-1536, 8-1537, 8-1538, 8-1543, 8-1569, 8-1571, 8-1572, 8-1573, 8-1578, 8-1578a, 8-1583, 8-1585, 8-1586, 8-1588, 8-1589, 8-1590, 8-1591, 8-1592, 8-15,102, 8-15,108, 8-15,113, 8-1744, 21-5607, 21-5810, 21-5815, 21-5816, 21-5817, 21-6203, 41-715, 41-727, 66-1330, 68-2106, 75-4510a and 79-34,112, and amendments thereto.";

On page 4, in line 14, by striking all after "vehicles"; by striking all in lines 15 and 16; in line 17, by striking all before "until"; in line 19, after "to" by inserting "substantially"; in line 20, by striking "within the one year restricted period"; in line 22, after "has" by inserting "substantially"; in line 24, after the first "such" by inserting "substantial"; by striking all in line 36; in line 38, after "care" by inserting ";

(vi) in going to or returning from purchasing groceries or fuel for their vehicle; and

(vii) in going to or returning from any religious worship service held by a religious organization";

On page 5, in line 30, by striking all after "(2)"; by striking all in lines 31 through 35; in line 36, by striking all before the period and inserting "(A) Any person who is financially unable to pay either the full amount of their original traffic fine or fines and court costs or a monthly payment from an approved hardship payment plan, as described in this section, may contact the court of jurisdiction to request a hardship waiver to offset part or all of the balance owed. The waiver shall include options for monthly installment payments and credits, or both, earned by the person doing community service and attending court approved classes, or both. A monthly payment amount shall be calculated based on all fines and fees and all anticipated costs owed within that jurisdiction and shall correspond to the person's ability to pay. The monthly payment plan amount shall be the greater of \$10 or 2% of the person's annual net

income, as of their most recent tax return, divided by 12.

(B) The court may also order that a person who enters into a payment agreement shall receive credit against any remaining traffic fines and court costs owed by performing community service and attending classes, or both, including online courses, aimed at defensive and safe driving techniques or a state-approved traffic school program. The court shall approve any classes and community service before the person will receive credit toward their original traffic fines or court costs. Once approved, the person shall receive a credit toward the balance owed in an amount equal to \$15 for each hour spent by the person doing community service and \$15 for each hour spent attending classes";

Also on page 5, in line 37, by striking all after "(3)"; by striking all in line 38; in line 39, by striking all before the period and inserting "A single page, uniform hardship waiver application form shall be made available to download from the department of revenue website in addition to being provided in each jurisdiction's clerk of court office for persons to sign and submit to the court. If the court denies an economic hardship petition, a written explanation shall be provided to the person stating the reason or reasons for the denial";

On page 6, in line 4, after "(g)" by inserting "Any court orders issued pursuant to this section that either restrict or suspend an individual's driving privileges shall:

(1) Identify what constitutes substantial compliance with the order for the individual to regain full driving privileges and the corresponding timeline for compliance;

(2) specify what constitutes a late or missed payment and the penalties for late or missed payments to be imposed by the court, including any process for restarting payments or notifying the division of vehicles as a result of the failure to substantially comply with the order;

(3) consider waiver, reduction of fees, fines and court costs and allow for payment plans for any fees, fines and court costs; and

(4) consider alternative requirements such as alcohol or drug treatment in lieu of restriction or suspension of driving privileges.

(h) Any conviction for a failure to comply pursuant to this section shall not be considered by the municipal or district court or the division of vehicles if such conviction is greater than five years old in determining suspended or restricted driving privileges. After the expiration of five years from the date of conviction, the division shall notify by mail any individuals whose driving privileges were suspended or restricted and whose driving privileges have not since been restored. The division shall notify the individual that the individual may be eligible for driving privileges as a result of the expiration of the five years from the conviction for the failure to comply.

(i)";

Also on page 6, in line 10, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, after the semicolon by inserting "relating to failure to comply with a traffic citation;"; in line 4, after "care" by inserting ", to and from purchasing groceries or fuel and to and from religious worship services; providing for hardship payment plans and waiver of fines"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 352** be amended on page 2, in line 6, by striking all after "(1)"; by striking all in lines 7 through 12; in line 13, by striking "(2)"; in line 16, by striking "(3)" and inserting "(2)"; also in line 16, by striking

the colon; by striking all in lines 17 through 25; in line 26, by striking all before "require"; in line 29, after "(f)" by inserting "For a patient under 18 years of age, a parent or guardian shall be allowed to accompany a minor at all times.

(g);

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

On page 3, in line 8, after "(2)" by inserting "(A)"; in line 9, by striking ", involuntary seclusion"; in line 11, after "Restraints" by inserting "and involuntary seclusion"; also in line 11, after "to" by inserting "manage harmful behaviors or"; in line 12, after "patient" by inserting ", staff members"; in line 15, after the semicolon by inserting "and

(B) the use of restraint or seclusion in a treatment facility shall not exceed three hours without medical reevaluation, except that such medical reevaluation shall not be required, unless necessary, between the hours of 12:00 midnight and 8:00 a.m."; and the bill be passed as amended.

Also, **SB 391** be amended on page 2, in line 22, by striking "(a)"; in line 23, by striking "(1)" and inserting "(a)"; in line 28, by striking "(2)" and inserting "(b)"; in line 30, by striking "(3)" and inserting "(c)"; by striking all in line 32; in line 37, by striking "or" and inserting a comma; in line 39, before "knows" by inserting ", licensed social worker, teacher or school administrator";

On page 4, in line 26, by striking "submit a report of" and inserting "designate"; in line 27, by striking all after "nature"; in line 28, by striking all before the period; in line 33, before "and" by inserting "including, but not limited to, providing for the testing for such diseases"; in line 34 by striking "or exposed to";

On page 5, following line 37, by inserting:

"(e) The local health officer shall submit recommendations related to the isolation or quarantine of individuals under this section to the board of county commissioners as a proposed order. At the next regularly scheduled meeting of the board or at a special meeting of the board, the board shall review such proposed order and may take any action related to the proposed order that the board determines is necessary. The proposed order shall become effective if approved by the board or, if the board is unable to meet, if approved by the chairperson of the board or the vice chairperson of the board in the chairperson's absence or disability."; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 476** be amended on page 1, in line 10, before "Upon", by inserting: "The penalties provided in this section shall be in addition to the penalties provided in K.S.A. 8-1558 through 8-1560b, and amendments thereto.

(c);

Also on page 1, in line 12, by striking "(e)" and inserting "(f)"; in line 15, by striking "(e)" and inserting "(f)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

The Committee on **Ways and Means** recommends **SB 481** be amended on page 1, in line 14, by striking "-"; in line 28, by striking "-";

On page 2, in line 13, by striking "-"; in line 24, by striking "-"; in line 25, by striking "-";

On page 3, in line 24, by striking all after "degrees"; by striking all in line 25; in line 26, by striking all before "which"; in line 27, by striking "-"; in line 36, by striking "-";

in line 42, by striking all after "(b)"; by striking all in line 43;

On page 4, by striking all in lines 1 through 17; in line 18, by striking "(c)"; in line 22, by striking "-";

On page 5, in line 5, by striking "-"; in line 12, by striking "-"; in line 19, by striking "-"; in line 26, by striking "-"; in line 43, by striking "-";

On page 1, in the title, in line 2, by striking "-"; by striking all in line 3; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Thursday, February 22, 2024.

Journal of the Senate

THIRTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 22, 2024, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Leaning On The Everlasting Arms
Proverbs 3:5-7

Lord, God of Heaven and earth, in moving forward, in pushing for progress, there's a lot of ground we need to cover. Yet it's encouraging to know, that we can lean on You as we go. In fact, You've indicated that it's not wise to lean on any other.

Back in 1972, Bill Withers came up with a song where the singer was saying "Lean on Me" and I'll help you carry on. But then he went on to say that it wouldn't be long before he would need somebody to lean on.

In the wisdom, You've given us through Solomon, in Proverbs 3:5-7, You let us know that we're not to lean on our human understanding or try to be wise in our own eyes. But, if we acknowledge You in all our ways, You promised to show us the paths to take. So, Lord, as we push for progress, help us to hear Your voice calling us to lean on You; that You'd help us to carry on. I'm so very grateful for Your loving direction and protection. In Jesus' Name, 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 530, AN ACT concerning rural housing development; providing that residential housing constructed through loans or grants from the state housing trust fund shall meet certain energy conservation standards; amending K.S.A. 2023 Supp. 12-5256 and repealing the existing section, by Committee on Federal and State Affairs.

SB 531, AN ACT concerning children and minors; relating to material harmful to minors; creating a civil cause of action against schools that give or make available such materials to minors; relating to the criminal offenses of promoting obscenity and material harmful to minors; removing an affirmative defense for public and nonpublic schools thereof; amending K.S.A. 21-6401 and 21-6402 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 532, AN ACT concerning education; relating to literacy; establishing the Kansas blueprint for literacy; creating a literacy advisory committee; directing the state board

of regents to appoint a director of literacy education and develop a comprehensive assessment system for school districts; requiring the state board of regents and the state board of education to collaborate on a literacy micro-credential and professional development; authorizing the state board of regents to recommend diagnostic and formative literacy assessments; authorizing university presidents and deans of education oversight over postsecondary literacy courses; requiring a plan to establish centers of excellence in reading, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 527**.

Judiciary: **SB 526**.

Ways and Means: **SB 529**.

INTRODUCTION AND CONSIDERATION OF CONCURRENT RESOLUTIONS

Senators Masterson, Alley and Sykes introduced the following Senate Concurrent Resolution which was read:

SENATE CONCURRENT RESOLUTION No. 1619—

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2024 regular session of the legislature.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on February 23, 2024, and shall reconvene on February 28, 2024; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto.

On emergency motion of Senator Alley **SCR 1619** was adopted.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Longbine in the chair.

On motion of Senator Longbine the following summary report was adopted.

SB 363, SB 458 be passed.

SB 438, SB 455, SB 481, SB 491 be passed as amended by adoption of the committee reports.

SB 352, SB 391, SB 417; HB 2545 be passed as amended by adoption of the committee reports and further amended by Committee of the Whole.

SB 457; HB 2446 be passed over and retain a place on the calendar.

COMMITTEE OF THE WHOLE ACTIONS

SB 352 be amended by the adoption of the committee amendments, be further amended by motion of Senator O'Shea ; on page 1, in line 8, by striking "section";

on page 2, following line 41, by inserting:

"(j) (1) If a medical care facility's compliance with this section results in such medical care facility to be in violation of federal statutes, regulations or United States centers for medicare and medicaid services rulings, and such violation results in money penalties, fees or lost funding from the United States centers for medicare and medicaid services, the medical care facility shall certify to the secretary of health and environment the amount of such penalties, fees or lost funding. The secretary of health and environment shall certify such amount to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state general fund to the medical care facility reimbursement fund. Each time the secretary transmits such certification to the director of accounts and reports, the secretary shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(2) There is hereby established in the state treasury the medical care facility reimbursement fund, which shall be administered by the secretary of health and environment. All expenditures from the medical care facility reimbursement fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or the secretary's designee. Moneys in the fund shall be used for the purpose of reimbursing medical care facilities for penalties, fees or lost funding as provided in paragraph (1).";

on page 1, in the title, in line 4, after the semicolon by inserting "establishing the medical care facility reimbursement fund to reimburse medical care facilities for lost federal funding due to compliance with the John D. Springer patient's bill of rights;"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 22; Nays 18; Present and Passing 0; Absent or Not Voting 0.

Yeas: Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Ware.

Nays: Alley, Baumgardner, Claeys, Erickson, Fagg, Gossage, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

and **SB 352** be passed as further amended.

SB 363 be passed

SB 391 be amended by the adoption of the committee amendments, be further amended by motion of Senator Blasi; on page 6, by striking all in lines 8 through 17; in line 18, by striking "9" and inserting "8";

On page 10, in line 4, by striking the second comma and inserting "and"; also in line 4, by striking "and 65-129d";

And by renumbering sections accordingly;

On page 1, in the title, in line 6, by striking the fourth comma and inserting "and"; also in line 7, by striking "and 65-129d"

SB 391 be further amended by motion of Senator Wilborn; on page 5, in line 41, after "(e)" by inserting "If an outbreak of a highly contagious, deadly disease occurs,"; also in line 41, by striking "shall" and inserting "may"; in line 42, by striking "under this section" and inserting "infected with such disease"; in line 43, by striking "as a proposed order"; also in line 43, by striking all after the period;

On page 6, by striking all in lines 1 through 3; in line 4, by striking all before the second "The"; in line 5, by striking "if approved by"; in line 7, after "disability" by inserting "may take action to isolate or quarantine such infected individuals", and **SB 391** be passed as further amended.

SB 417 be amended by the adoption of the committee amendments, be further amended by motion of Senator Straub; on page 1, in line 13, by striking all after "lands"; in line 19, by striking ", waters"; in line 34, by striking "and all water or water rights", and **SB 417** be passed as further amended.

SB 438 be amended by the adoption of the committee amendments.

SB 455 be amended by the adoption of the committee amendments.

SB 457 be passed over and retain a place on the calendar.

SB 458 be passed.

SB 481 be amended by the adoption of the committee amendments.

SB 491 be amended by the adoption of the committee amendments.

HB 2446 be passed over and retain a place on the calendar.

HB 2545 be amended by the adoption of the committee amendments, be further amended by motion of Senator Peck; on page 4, in line 40, by striking the first "not"; also in line 40, after "to" by inserting "a rental agreement delivered electronically only if"; also in line 40, by striking "that"; also in line 40, by striking the second "not" and **HB 2545** be passed as further amended.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 162, AN ACT creating the Riley county unincorporated area nuisance abatement act and the Crawford county unincorporated area nuisance abatement act; establishing procedures for the removal and abatement of nuisances; providing for the assessment of costs of such abatement, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll,

Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Olson, Pyle, Steffen, Straub, Tyson.

Present and Passing: Haley.

The bill passed, as amended.

SB 190, AN ACT concerning crimes, punishment and criminal procedure; release prior to trial; requiring a waiver of extradition proceedings as a condition of release prior to trial for any person charged with a felony; amending K.S.A. 22-2802 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 31; Nays 6; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Francisco, Haley, Holland, Reddi, Steffen, Tyson.

Present and Passing: Faust-Goudeau, Pettey, Pittman.

The bill passed, as amended.

SB 272, AN ACT concerning public use general aviation airports; increasing the transfer from the state highway fund to the public use general aviation airport development fund; amending K.S.A. 2023 Supp. 75-5061 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Steffen, Straub, Tyson.

The bill passed, as amended.

SB 318, AN ACT concerning municipal courts; relating to the Kansas code of procedure for municipal courts; requiring the city attorney to review certain audio and video evidence; removing the requirement to collect fingerprints from persons convicted of violating certain municipal ordinance provisions related to vehicle registration or driving without a valid driver's license or motor vehicle liability insurance coverage; amending K.S.A. 12-4410 and 12-4517 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 338, AN ACT concerning insurance; relating to group-funded liability and group-funded workers compensation pools; changing certain reporting requirements; amending K.S.A. 12-2620, 44-584 and 44-590 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 339, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2023 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 340, AN ACT concerning insurance; relating to insurance laws and enforcement thereof; removing automobile club from the definition of person; amending K.S.A. 2023 Supp. 40-2,125 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 345, AN ACT concerning financial institutions; enacting the commercial financing disclosure act; requiring the disclosure of certain commercial financing product transaction information; providing for civil penalties; authorizing enforcement of such act by the attorney general, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Steffen, Tyson.

The bill passed.

SB 356, AN ACT concerning insurance; relating to examinations; requiring that insurance examiner per diem amounts and expenses, outside consulting and data processing fees and pro rata funding for examination equipment and software be reasonable; establishing a tiered fee structure for examinations of insurance companies and societies based on gross premiums; amending K.S.A. 40-223 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 362, AN ACT repealing K.S.A. 19-26,120; relating to the expiration of the Sedgwick county urban area nuisance abatement act, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Olson, Pyle, Steffen, Straub, Tyson.

Present and Passing: Haley.

The bill passed.

SB 398, AN ACT concerning insurance; relating to the powers, duties and responsibilities of the commissioner of insurance; authorizing the commissioner of insurance to set the amount of certain fees; requiring the publication of such fees in the Kansas register; amending K.S.A. 40-205a, 40-218, 40-252, 40-2,133, 40-504, 40-956, 40-22a04, 40-2604, 40-2702, 40-3213, 40-3304, 40-3812, 40-3813, 40-4103, 40-4116, 40-4323, 40-4334, 40-4503, 40-5003 and 40-5509 and K.S.A. 2023 Supp. 40-3823, 40-3824, 40-4209, 40-4302 and 40-4903 and repealing the existing sections; also repealing K.S.A. 40-3217, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 405, AN ACT concerning the Kansas uniform securities act; relating to violations thereof; holding a control person liable for the violations committed by an individual subject to discipline under the act unless the control person was unaware and could not have reasonably have known of the violations of such individual; amending K.S.A. 17-12a412, 17-12a603 and 17-12a604 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Wilborn.

Nays: Baumgardner, Erickson, Olson, Peck, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson.

Present and Passing: Warren.

The bill passed.

SB 406, AN ACT concerning financial institutions; enacting the Kansas money transmission act; relating to the electronic transmission of money; oversight thereof by the state bank commissioner; establishing powers, duties and responsibilities of the state bank commissioner; licensing and renewal processes; penalties; repealing K.S.A. 9-508, 9-509, 9-510, 9-510a, 9-511, 9-513, 9-513a, 9-513b, 9-513c, 9-513d, 9-513e and K.S.A. 2023 Supp. 9-512, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 423, AN ACT concerning insurance; reducing the number of board members appointed by the commissioner on certain insurance-related governing boards and the frequency of the meetings of the committee on surety bonds and insurance; amending K.S.A. 40-2102, 40-2109, 40-3116, 40-3413, 65-34,126 and 75-4101 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Baumgardner.

The bill passed, as amended.

SB 433, AN ACT concerning health and healthcare; relating to institutional licenses; clarifying practice privileges; amending K.S.A. 65-2895 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson,

Ware, Warren, Wilborn.

Nays: Tyson.

The bill passed.

SB 434, AN ACT concerning public health; relating to the practice of cosmetology; exempting the practice of hair removal by sugaring from the definition of cosmetology; amending K.S.A. 2023 Supp. 65-1901 and 65-1928 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pittman.

Present and Passing: Holscher.

The bill passed, as amended.

SB 462, AN ACT concerning motor carriers; relating to the Kansas uniform commercial drivers' license act; authorizing the director of vehicles to waive the knowledge and skills test for driving a commercial vehicle for an applicant that provides evidence that such applicant qualifies for the military even exchange program for a commercial driver's license; amending K.S.A. 8-2,133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 467, AN ACT concerning economic development; relating to tourism; increasing the membership of the council on travel and tourism appointed by the governor and updating the house committee assignment required for house members from the committee on agriculture and natural resources to the committee on commerce, labor and economic development; reducing the required allocation of funds from the department of commerce's matching grant program for the promotion of tourism to public and nonprofit entities and removing the restriction on the percentage of such funds granted to a single entity; amending K.S.A. 2023 Supp. 32-1410 and 32-1420 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

The bill passed.

SB 473, AN ACT concerning crimes, punishment and criminal procedure; relating to the Kansas code of criminal procedure; authorizing a notice to appear that meets certain requirements to serve as a lawful complaint; amending K.S.A. 22-2202 and 22-2408 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

The bill passed.

HB 2105, AN ACT concerning earned wage access services; enacting the Kansas earned wage access services act; establishing the administration of such act by the office of the state bank commissioner; providing for registration, bond requirements; duties, prohibited acts, reports, records retention, orders, civil fines, criminal penalties and fees, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Holland, Olson, Pyle, Steffen, Straub, Tyson.

The bill passed, as amended.

EXPLANATION OF VOTE

I vote NO on **HB 2105**. I am extremely concerned that this legislation, as currently written, will institutionalize a predatory loan scheme upon those Kansas workers who financially struggle living from paycheck to paycheck. I am also concerned about how this might adversely impact the existing rights of an employee working in a right-to-work state.—TOM HOLLAND

S Sub HB 2247, AN ACT concerning financial institutions; relating to the Kansas mortgage business act; uniform consumer credit code; pertaining to certain definitions, terms and conditions contained therein; modifying consumer loan finance charges and repayment terms; record requirements; credit card surcharge; definition of earnings and days; increasing the threshold for certain consumer loans and leases; origination fees for non-real estate transactions; clarifying license requirements to make supervised loans; exempting supervised loan license form filing notifications; transferring mortgage provisions contained in the uniform consumer credit code to the Kansas mortgage business act; clarifying entities exempt for licensing; amending K.S.A. 9-2201, 9-2202, 9-2203, 9-2208, 9-2209, 9-2212, 9-2216, 9-2216a, 9-2220, 16-207, 16-207d, 16a-1-101, 16a-1-102, 16a-1-103, 16a-1-104, 16a-1-107, 16a-1-108, 16a-1-109, 16a-1-201, 16a-1-

202, 16a-1-301, 16a-2-103, 16a-2-104, 16a-2-201, 16a-2-202, 16a-2-301, 16a-2-302, 16a-2-303, 16a-2-304, 16a-2-308, 16a-2-309, 16a-2-310, 16a-2-401, 16a-2-402, 16a-2-403, 16a-2-404, 16a-2-501, 16a-2-502, 16a-2-504, 16a-2-505, 16a-2-506, 16a-2-507, 16a-2-508, 16a-2-510, 16a-3-201, 16a-3-202, 16a-3-203, 16a-3-204, 16a-3-205, 16a-3-206, 16a-3-208, 16a-3-209, 16a-3-301, 16a-3-302, 16a-3-303, 16a-3-304, 16a-3-305, 16a-3-306, 16a-3-307, 16a-3-308, 16a-3-309, 16a-3-402, 16a-3-403, 16a-3-404, 16a-3-405, 16a-4-102, 16a-4-104, 16a-4-105, 16a-4-106, 16a-4-107, 16a-4-108, 16a-4-109, 16a-4-110, 16a-4-111, 16a-4-112, 16a-4-201, 16a-4-202, 16a-4-203, 16a-4-301, 16a-4-304, 16a-5-103, 16a-5-107, 16a-5-108, 16a-5-111, 16a-5-201, 16a-5-203, 16a-5-301, 16a-6-104, 16a-6-105, 16a-6-106, 16a-6-108, 16a-6-109, 16a-6-110, 16a-6-111, 16a-6-112, 16a-6-113, 16a-6-115, 16a-6-201, 16a-6-202, 16a-6-203, 16a-6-401, 16a-6-403 and 40-1209 and repealing the existing sections; also repealing K.S.A. 16a-1-303, 16a-2-101, 16a-2-102, 16a-2-303a, 16a-2-307, 16a-3-101, 16a-3-102, 16a-3-203a, 16a-3-207, 16a-3-308a, 16a-4-101, 16a-4-103, 16a-5-101, 16a-5-102, 16a-5-110, 16a-5-112, 16a-6-101, 16a-6-102, 16a-6-117, 16a-6-402, 16a-6-404, 16a-6-405, 16a-6-406, 16a-6-407, 16a-6-408, 16a-6-409, 16a-6-410, 16a-6-414, 16a-9-101 and 16a-9-102, was considered on final action.

On roll call, the vote was: Yeas 33; Nays 6; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettay, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Ware, Warren, Wilborn.

Nays: Holland, Olson, Pyle, Steffen, Thompson, Tyson.

Present and Passing: Faust-Goudeau.

The substitute bill passed.

EXPLANATION OF VOTE

I stand proudly with Kansas consumers and vote NO on **S Sub HB 2247**.—TOM HOLLAND

EMERGENCY FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 352, SB 363, SB 391, SB 417, SB 438, SB 455, SB 458, SB 481, SB 491; HB 2545** were advanced to Final Action and roll call.

SB 352, AN ACT concerning health and healthcare; enacting the John D. Springer patient's bill of rights; requiring hospitals to allow in-person visitation in certain circumstances; requiring hospitals to adopt visitation policies and procedures; establishing the medical care facility reimbursement fund to reimburse medical care facilities for lost federal funding due to compliance with the John D. Springer patient's bill of rights; creating a civil cause of action for violation of such rights.

On roll call, the vote was: Yeas 26; Nays 13; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Francisco, Haley, Holland, Holscher, Longbine,

McGinn, Pettey, Reddi, Sykes, Ware.
 Present and Passing: Faust-Goudeau.
 The bill passed, as amended.

EXPLANATION OF VOTE

I voted for **SB 352**, the John D. Springer Patient Bill of Rights, because a NO vote was a vote against basic human rights.—MARK STEFFEN

I vote Aye in support of **SB 352**, the John D. Springer Patient's Bill of Rights, and extend my deepest sympathies to Peggy Springer and the rest of her family. May no other families endure the torture their family did while their loved one was in the hospital.—ALICIA STRAUB

The John D Springer Patient's Bill of Rights is necessary. The intent of the bill is to prohibit placing medically unnecessary, unfounded, and non-scientific policies ahead of the rights of individuals. Families were kept from the bedside of dying patients, and those who were so sick they could not advocate for themselves. The farther we get from the COVID pandemic, the more we seem to be forgetting the lessons we must remember, to prevent out-of-control mandates from happening in the future. The totalitarian whims of people like Dr. Fauci should never be allowed to have the force and effect of law and take precedence over the most basic of individual rights. But that is exactly what happened in 2020 and 2021. I believe the amendment was ill conceived and confusing, but I cannot allow that to prevent our effort to provide surety to future patients and their families during times when their needs are paramount. For that reason, I vote "aye." —MIKE THOMPSON

Senator Gossage requests the record to show she concurs with the "Explanation of Vote" offered by Senator Thompson on **SB 352**.

SB 363, AN ACT concerning barbers; relating to the examination and licensure thereof; creating a senior status license; providing for certain licensure fees; amending K.S.A. 65-1808, 65-1809, 65-1810, 65-1812, 65-1815, 65-1817, 65-1819, 65-1820a and 65-1825a and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 391, AN ACT concerning public health; relating to infectious or contagious diseases; changing the authority of the secretary of health and environment and local health officers; naming the constitutional right to health freedom act; revoking the authority of the secretary to order individuals to isolate or quarantine and impose penalties for violations thereof; amending K.S.A. 65-116g, 65-118, 65-119, 65-128; and 65-129b and K.S.A. 2023 Supp. 65-101, 65-202 and 72-5180 and repealing the existing sections; also repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c.

On roll call, the vote was: Yeas 23; Nays 17; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

Kansans depend on the expertise and competence of the Kansas Department of Health and Environment (KDHE) and the state's public health practitioners to provide leadership and direction in times of health emergencies. **SB 391** limits the authority of the secretary of KDHE to only be able to recommend but not take action .when it comes to exercising general supervision of the health of the state of Kansas. **SB 391** designates required reporters to local health officials on contagious diseases who then may only recommend actions to protect Kansans from infectious or contagious diseases. **SB 391** is poor state policy I vote No.—PAT PETTEY

Senator Sykes requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pettey on **SB 391**.

SB 417, AN ACT concerning wildlife and parks; relating to eminent domain; limiting the secretary's authority to exercise the right of eminent domain; amending K.S.A. 2023 Supp. 32-840 and repealing the existing section.

On roll call, the vote was: Yeas 25; Nays 14; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Haley, Holland, Holscher, Kerschen, McGinn, Pettey, Reddi, Sykes, Ware.

Present and Passing: Francisco.

The bill passed, as amended.

SB 438, AN ACT concerning postsecondary education; relating to the AO-K program; eliminating the requirement to subtract other aid from the state payment; amending K.S.A. 2023 Supp. 74-32,267 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 455, AN ACT concerning electric public utilities; relating to the state corporation commission; extending the timeline for the commission to make a predetermination of ratemaking principles and treatment prior to the construction of or acquiring a stake in

an electric generation or transmission facility; establishing procedural requirements to support the timely and expeditious completion of such proceedings; prohibiting the commission from authorizing the retirement of fossil fuel-fired electric generating facilities unless certain requirements are met; authorizing electric public utilities to retain certain electric generating facilities in the utility's rate base; requiring the commission to report annually on public utility requests to retire fossil fuel-fired electric generating facilities; amending K.S.A. 2023 Supp. 66-1239 and repealing the existing section.

On roll call, the vote was: Yeas 29; Nays 8; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

Present and Passing: Blasi, Faust-Goudeau, Haley.

The bill passed, as amended.

EXPLANATION OF VOTE

I vote "NO" on **Senate Bill 455** as amended by the Senate Committee. The original bill permitted a utility to retain coal-fired electric generating facilities and operate them at a low capacity or hold them offline if determined by the Kansas Corporation Commission to be just, reasonable, and necessary for the provision of sufficient and efficient service. Wording added from **Senate Bill 456**, rather than permission, disallows the Corporation Commission from approving the abandonment or retirement of a fossil fuel-fired electric generating unit unless they determine relevant evidence supports findings that the abandoned unit will be replaced, the change is not expected to harm the utility's customers, and, unless it is required to comply with federal or state laws, it is for economic purposes and not based on achieving environmental, social or governance goals. We should be allowing changes that not only do no harm but also those that reduce costs. Kansas needs an energy plan, not this bill.—MARCI FRANCISCO

SB 458, AN ACT concerning seizure and forfeiture of property; relating to the Kansas standard asset seizure and forfeiture act; specifying that certain drug offenses do not give rise to forfeiture under the act; requiring courts to make a finding that forfeiture is not excessive; restricting actions prior to commencement of forfeiture proceedings; requiring probable cause affidavit filing and review to commence forfeiture proceedings; increasing the burden of proof required to forfeit property to clear and convincing evidence; providing persons involved in forfeiture proceedings the ability to request a jury trial; authorizing courts to order payment of attorney fees and costs for certain claimants; requiring the Kansas bureau of investigation to submit forfeiture fund financial reports to the legislature; amending K.S.A. 2023 Supp. 60-4104, 60-4106, 60-4107, 60-4109, 60-4111, 60-4112, 60-4113, 60-4114, 60-4116, 60-4117 and 60-4127 and repealing the existing sections.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Corson, Doll.

Present and Passing: Francisco, Holscher.

The bill passed.

EXPLANATION OF VOTE

I vote YES on **SB 458** in honor of Representative Gail Finney.—OLETHA FAUST-GOUDEAU

Senators Bowers, Haley, Holland, McGinn, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Faust Goudeau on **SB 458**.

SB 481, AN ACT concerning Kansas state university; renaming Kansas state university polytechnic campus as Kansas state university Salina; amending K.S.A. 74-3209, 76-156a, 76-205, 76-213, 76-218, 76-751, 76-754, 76-756 and 76-7,126 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

The bill passed, as amended.

SB 491, AN ACT concerning criminal history and record checks; relating to the Kansas bureau of investigation; standardizing fingerprinting requirements and making conforming amendments across statutes that authorize fingerprinting; defining people to be fingerprinted; amending K.S.A. 2-3901, 2-3902, 2-3906, 2-3907, 2-3911, 7-127, 8-2,142, 9-508, 9-509, 9-513e, 9-1719, 9-1722, 9-2201, 9-2209, 9-2301, 9-2302, 12-1,120, 12-1679, 16a-6-104, 17-2234, 19-826, 39-969, 39-970, 39-2009, 40-5502, 40-5504, 41-311b, 46-1103, 46-3301, 65-503, 65-1501a, 65-1505, 65-1696, 65-2401, 65-2402, 65-2802, 65-2839a, 65-28,129, 65-2901, 65-3503, 65-4209, 65-5117, 73-1210a, 74-1112, 74-2113, 74-4905, 74-50,182, 74-50,184, 74-5605, 74-5607, 74-7511, 74-8704, 74-8705, 74-8763, 74-8769, 74-8803, 74-8805, 74-8806, 74-9802, 74-9804, 74-9805, 75-712, 75-7b01, 75-7b04, 75-7b21, 75-7e01, 75-7e03, 75-3707e, 75-4315d, 75-5133c, 75-5156, 75-53,105, 75-5609a and 75-7241 and K.S.A. 2023 Supp. 40-4905, 40-5505, 41-102, 50-6,126, 50-1128, 58-3035, 58-3039, 58-4102, 58-4127, 58-4703, 58-4709, 65-516, 65-1120, 65-1626, 65-2924, 65-3407, 65-6129, 74-5602, 74-8702, 74-8802, 74-8804, 75-7c02, 75-7c05, 75-5393a, 75-5393c and 75-5397f and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2545, AN ACT concerning the self-service storage act; providing for sale of property not retrieved by an occupant after notice by an operator; allowing electronic signatures and electronic delivery for rental agreements upon consent by an occupant; defining "property that has no commercial value"; providing for the effectiveness of rental agreements when such agreements are not signed or delivered by an owner or by an occupant; specifying custody and control of abandoned or towed property; amending K.S.A. 58-814 and 58-818 and K.S.A. 2023 Supp. 58-816 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday February 23, 2024.

Journal of the Senate

THIRTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 23, 2024, 9:00, a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

SCR 1620—A CONCURRENT RESOLUTION approving the creation of a port authority in Wyandotte County and Kansas City, Kansas, by Senator Haley.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 531, SB 532.**

Federal and State Affairs: **SB 530.**

Public Health and Welfare: **SB 528.**

CHANGE OF REFERENCE

Under the authority of the President, Senator Dietrich withdrew **SB 427, SB 428, SB 469** from the Committee on **Education**, and referred the bills to the Committee on **Ways and Means**.

Under the authority of the President, Senator Dietrich withdrew **SB 415, SB 416** from the Committee on **Judiciary**, and referred the bills to the Committee on **Ways and Means**.

Under the authority of the President, Senator Dietrich withdrew **SB 273** from the Committee on **Local Government**, and referred the bill to the Committee on **Ways and Means**.

Under the authority of the President, Senator Dietrich withdrew **SB 305, SB 390, SB 461, SB 488, SB 489, SB 496** from the Committee on **Public Health and Welfare**, and referred the bills to the Committee on **Ways and Means**.

Under the authority of the President, Senator Dietrich withdrew **SB 284** from the Committee on **Utilities**, and referred the bill to the Committee on **Ways and Means**.

Under the authority of the President, Senator Dietrich withdrew **SB 386, SB 407, SB 457, SB 493, SB 500, SB 426** from the Calendar under the heading of **General Orders**, and referred the bills to the Committee on **Ways and Means**.

Under the authority of the President, Senator Dietrich withdrew **SB 377** from the Calendar under the heading of **General Orders**, and rereferred the bill to the Committee on **Assessment and Taxation**.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2516, HB 2547, HB 2549, HB 2557, HB 2562, HB 2577, HB 2579, HB 2587, HB 2596, HB 2604, HB 2614, HB 2615, HB 2618, HB 2633, HB 2661, HB 2675, HB 2679, HB 2682, HB 2698.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2516, HB 2547, HB 2549, HB 2557, HB 2562, HB 2577, HB 2579, HB 2587, HB 2596, HB 2604, HB 2614, HB 2615, HB 2618, HB 2633, HB 2661, HB 2675, HB 2679, HB 2682, HB 2698 were thereupon introduced and read by title.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SR 1741, SR 1743 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 23, 2024.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of February 19 through February 23, 2024:

Senator Bowers: congratulating the Sylvan-Lucas H.S. Speech and Debate Team on winning the 2023 1A State Championship, celebrating Beryl Johnson's 100th Birthday, congratulating the Rock Hills Scholars Bowl Team on winning the 2024 State Championship, celebrating Elda Allerheiligen's 100th Birthday;

Senator Doll: commending the International Rescue Committee on its commitment to public service and helping those around the world;

Senator O'Shea: congratulating Daniel Biggs on achieving the rank of Eagle Scout, congratulating Maddox Mullens on achieving the rank of Eagle Scout, congratulating Breckan Andrews on achieving the rank of Eagle Scout, congratulating Jesse Gillgannon on achieving the rank of Eagle Scout, congratulating Caleb Sieve on achieving the rank of Eagle Scout, congratulating Quinton White on achieving the rank of Eagle Scout; and

Senator Peck: congratulating the Independence H.S. Boys Tennis Team on winning the 2023 state championship, congratulating the Independence H.S. Girls Tennis Team on winning the 2023 state championship.

On motion of Senator Kloos, the Senate adjourned pro forma until 2:30 p.m., Wednesday, February 28, 2024.

Journal of the Senate

THIRTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 28, 2024, 2:30 p.m.

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

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege to introduce Lavonta Williams.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 533, AN ACT concerning housing; relating to denial of housing or other adverse actions against tenants or prospective tenants on the basis of past evictions or rental arrears; prohibiting the reporting by consumer reporting agencies or the use by landlords for adverse action against tenants of such information after three years from the date of such evictions or rental arrears; requiring consumer reporting agencies to provide an opportunity to individuals to explain any record of evictions or rental arrears; providing that court records of an eviction action be sealed for certain periods; providing that violations of the provisions of the act constitute unconscionable acts or practices under the provisions of the Kansas consumer protection act; amending K.S.A. 61-3804 and K.S.A. 2023 Supp. 50-626 and 60-2617 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to Committees as indicated:

Agriculture and Natural Resources: **HB 2633**.

Commerce: **SCR 1620**.

Federal and State Affairs: **HB 2516, HB 2614, HB 2615, HB 2618**.

Financial Institutions and Insurance: **HB 2562, HB 2577**.

Judiciary: **HB 2549, HB 2557, HB 2604, HB 2675, HB 2698**.

Local Government: **HB 2587, HB 2661**.

Public Health and Welfare: **HB 2547, HB 2579, HB 2596**.

Transportation: **HB 2679, HB 2682**.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate: FY 2023 Crime Victims Compensation Board Annual Report, Office of the Kansas Attorney General

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2590, HB 2560, HB 2601, HB 2646, HB 2703, HB 2783, HB 2663, HB 2715, HB 2606, HB 2754, HB 2605, HB 2623, HB 2453, HB 2628, HB 2787.**

Announcing adoption of **SCR 1619.**

Announcing passage of **HB 2101, HB 2353, HB 2385, HB 2483, HB 2487, Sub HB 2494, Sub HB 2512, HB 2536, HB 2567, Sub HB 2570, HB 2607, HB 2613, HB 2616, HB 2629, HB 2634, HB 2645, HB 2654, HB 2660, HB 2669, HB 2678, HB 2690, HB 2711, HB 2741, HB 2745, HB 2751, HB 2755, HB 2777, HB 2784.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2101, HB 2353, HB 2385, HB 2453, HB 2483, HB 2487, Sub HB 2494, Sub HB 2512, HB 2536, HB 2560, HB 2567, Sub HB 2570, HB 2590, HB 2601, HB 2605, HB 2606, HB 2607, HB 2613, HB 2616, HB 2623, HB 2628, HB 2629, HB 2634, HB 2645, HB 2646, HB 2654, HB 2660, HB 2663, HB 2669, HB 2678, HB 2690, HB 2703, HB 2711, HB 2715, HB 2741, HB 2745, HB 2751, HB 2754, HB 2755, HB 2777, HB 2783, HB 2784, HB 2787 were thereupon introduced and read by title.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 427, SB 428, SB 469** from the Committee on **Ways and Means**, and rereferred the bills to the Committee on **Education**.

Under the authority of the President, the Vice President withdrew **SB 273** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Local Government**.

Under the authority of the President, the Vice President withdrew **SB 305, SB 390, SB 461, SB 488, SB 489, SB 496** from the Committee on **Ways and Means**, and rereferred the bills to the Committee on **Public Health and Welfare**.

Under the authority of the President, the Vice President withdrew **SB 284** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Utilities**.

Under the authority of the President, the Vice President withdrew **SB 415, SB 416** from the Committee on **Ways and Means**, and rereferred the bills to the Committee on **Judiciary**.

Under the authority of the President, the Vice President withdrew **SB 386, SB 407, SB 426, SB 457, SB 493 SB 500** from the Committee on **Ways and Means**, and rereferred the bills to the calendar under the heading of **General Orders**.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SCR 1619 reported correctly enrolled, properly signed and presented to the Secretary of State on February 28, 2024.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 29, 2024.

Journal of the Senate

THIRTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 29, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 33 senators present.

Senators Doll, Haley, Kerschen, Kloos, Olson, Pyle and Ryckman were excused.

The President introduced guest chaplain, Reverend Justin Panzer, who delivered the invocation:

Almighty God, Your Word commands us to pray for our leaders that "we may lead a peaceful and quiet life, godly and dignified in every way," 1 Timothy 2:2. It is from You that comes all rule and authority over the nations of the world for the punishment of evildoers and for the praise of those who do well.

To that end, guard and preserve the members of the Senate in the State of Kansas who make and administer the laws of this state. We especially pray for: Larry, Molly, Rick, Chase, Elaine, JR, Ethan, Brenda, John, Renee, Michael, Oletha, Marci, Beverly, David, Tom, Cindy, Dan, Rick, Jeff, Ty, Carolyn, Rob, Kristen, Virgil, Mike, Pat, Jeff, Dennis, Usha, Ron, Tim, Mark, Alicia, Dinah, Mike, Caryn, Mary, Kellie, and Richard.

Lead them to seek Your will. In all that they do, enable them, by Your Spirit, to pray, "Thy will be done." Grant them Your wisdom from above. Equip them to use the positions entrusted to them to bring You honor and glory. Lead them to protect life from conception to natural death. Guide them to make decisions that will benefit all citizens of this State. In all matters of deliberation, give them open ears and discerning and understanding hearts as they debate with one another and as they hear the pleas of their constituents.

We commend ourselves to You, imploring You in the Name of Jesus Christ, our Lord and Savior, whom You have sent to shed His precious blood on the Cross and be bodily raised from the grave for the forgiveness of sins all people. In His Name, we pray. Amen.

The Pledge of Allegiance was led by President Masterson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **HB 2607, HB 2634, HB 2678.**

Commerce: **HB 2483; Sub HB 2570; HB 2745.**

Education: **Sub HB 2494; HB 2567, HB 2613, HB 2645, HB 2646, HB 2703.**

Federal and State Affairs: **SB 533; Sub HB 2512; HB 2616, HB 2783.**

Financial Institutions and Insurance: **HB 2101, HB 2560, HB 2663, HB 2711, HB 2715, HB 2787.**

Judiciary: **HB 2353, HB 2385, HB 2487, HB 2601, HB 2605, HB 2606, HB 2628, HB 2654, HB 2660, HB 2741, HB 2755.**

Public Health and Welfare: **HB 2453, HB 2536, HB 2629, HB 2751, HB 2754, HB 2777, HB 2784.**

Utilities: **HB 2690.**

Ways and Means: **HB 2623.**

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2484.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2484 was thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 367** be amended on page 1, following line 7, by inserting:

"New Section 1. (a) No federal agency shall be designated as a voter registration agency pursuant to section 7 of the national voter registration act of 1993, 52 U.S.C. § 20506, except as provided by state law.

(b) Any designation of a federal agency as a voter registration agency pursuant to section 7 of the national voter registration act of 1993, 52 U.S.C. § 20506, that was made prior to July 1, 2024, is null and void.

(c) For purposes of this section, "federal agency" means any branch, department, bureau, office or instrumentality of the federal government.";

Also on page 1, in line 26, after the period by inserting "Provided that such expenditures are authorized by acts of appropriation or state law, any moneys received from the federal government shall only be expended for those purposes authorized by an act of congress appropriating such moneys.";

And by renumbering sections accordingly; and the bill be passed as amended.

Also, **SB 370** be amended on page 1 by striking all in lines 8 through 34; and the bill be passed as amended.

On motion of Senator Alley, the senate adjourned pro forma until 9:00 a.m., Friday, March 1, 2024.

Journal of the Senate

THIRTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 1, 2024, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **HB 2669**.

Public Health and Welfare: **HB 2484**.

Utilities: **HB 2590**.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of February 28 through March 1, 2024:

Senator Bowers: celebrating Josephine Hartman's 103rd Birthday;

Senator Dietrich: congratulating Lindsey Dowell on being named a Kansas Master Teacher, congratulating the Washburn Rural Girls Wrestling Team on winning the 2024 6-5A State Championship;

Senator Francisco: commending Tom Mulinazzi on his lifetime commitment to engineering, ethics, and licensure;

Senator Holscher: congratulating the Blue Valley North Boys Swimming and Diving Team on winning the 2024 6A State Championship;

Senator Kloos: congratulating Brysen Herrman on achieving the rank of Eagle Scout;

Senator Reddi: congratulating Tyler Kern on receiving the Scout Master of the Year Award, congratulating Mark Hatesohl on receiving the KCA Doctor of the Year Award; and

Senator Wilborn: congratulating and commending the participants in the 2023 Kansas Emerging Leaders Program.

On motion of Senator Bowers, the Senate adjourned until 2:30 p.m., Monday, March 4, 2024.

Journal of the Senate

THIRTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 4, 2024, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 39 senators present.
Senator Holland was excused.
Invocation by Reverend Cecil T. Washington:

Exponentially Adding Days To My Life
Job 14:5, Proverbs 9:11, Matthew 25:14-30

Lord, in humble appreciation, You are the Author of life. And Your Word, in Job 14:5, reveals that the days of our lives are numbered. You have placed limits on the time we will spend here. The days You're giving us to serve will one day be cut off.

But like leap year adds another day to the calendar, in Proverbs 9:11, You tell us that wisdom will add days and even add years to our calendars. So, Lord, our request today, is for wisdom; for the ability to look at life and all of life's concerns through Your eyes, to see things from Your perspective as we handle our assignments.

In the Gospel of Matthew, chapter 25:14-30, Jesus tells the illuminating story of three servants. One lacked Godly wisdom and was unprofitable in handling his responsibility. But two of them faithfully and wisely handled theirs. They heard Your words of affirmation, "Well Done," and received great reward.

Lord, we'd like, one day, to hear You tell us, "Well Done!" For if we wisely tackle the responsibilities we have here, using the abilities You've given us, You proclaim that we'll be rewarded even more greatly, exponentially in eternity.

I thank You for the opportunity and privilege to be of service. In Jesus' Name, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 534, AN ACT concerning criminal procedure; relating to execution of death sentences; requiring the secretary of corrections to select the method of carryout of a sentence of death by hypoxia; requiring the district court to send the secretary a warrant commanding the secretary to proceed to carry out a sentence of death within 30 days after judgment is final; amending K.S.A. 22-4001 and 22-4013 and repealing the existing sections, by Committee on Federal and State Affairs.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

Annual Report, Kansas Fights Addiction Board

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2358, HB 2543, HB 2608, HB 2790.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2358, HB 2543, HB 2608, HB 2790 were thereupon introduced and read by title.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator McGinn in the chair.

On motion of Senator McGinn the following summary report was adopted:

SB 365 be passed as amended by Committee of the Whole.

COMMITTEE OF THE WHOLE ACTIONS

SB 365 be amended by motion of Senator Tyson; on page 1, following line 5, by inserting:

"New Section 1. (a) No county election office shall use any remote ballot box for the purposes of the return of advance voting ballots.

(b) The secretary of state shall adopt rules and regulations necessary to implement and enforce the provisions of this section.

(c) As used in this section, "remote ballot box" means any form of a locked ballot box designated by the county election officer as available for use for depositing advance voting ballots. As used in this section, "remote ballot box" does not include any ballot boxes located in a county election office or satellite advance voting site.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after the second semicolon by inserting "prohibiting the use of remote ballot boxes;"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 22; Nays 16; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holscher, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware.

Present and Passing: Billinger.

Absent or Not Voting: Holland.

Senator Steffen motioned to further amend **SB 365**. A ruling of the chair was requested as to the germaneness of the amendment to the bill. The Chair ruled the amendment germane and the following amendment was adopted; on page 1, following line 29, by inserting:

"Sec. 2. K.S.A. 2023 Supp. 25-2912 is hereby amended to read as follows: 25-2912. (a) (1) (A) All voting systems used for elections in this state held on or after January 1, ~~2024~~ 2025, shall require the use of an individual, durable, voter-verified paper ballot with a distinctive watermark and serial number established by the secretary of state. The voter's ballot shall be:

(i) Marked by the voter, or by a person assisting the voter as otherwise permitted by law, either by hand or, prior to January 1, 2025, by use of a voting machine that is a non-tabulating paper ballot marking or printing device or system that may be electromechanical or electronic. On and after January 1, 2025, ballots shall only be marked by hand;

(ii) made available to the voter for inspection and verification by the voter after the voter has marked the ballot but before the voter's vote is cast and counted, that may be spoiled by the voter if it fails to reflect the voter's choices and that permits the voter to cast a new paper ballot; and

(iii) canvassed by hand or, prior to January 1, 2025, read and tabulated by vote-tabulating equipment consisting of optical scanning equipment or other counting equipment that counts and tabulates paper ballots. On and after January 1, 2025, ballots shall only be canvassed by hand.

(B) The voting system shall provide the voter with an opportunity to correct any error on the paper ballot before the paper ballot is secured and preserved.

(2) The voting system shall not preserve the paper ballots in any manner that makes it possible, at any time after the ballot has been cast, to associate a voter with the record of the voter's vote without the voter's consent.

(3) The paper ballot shall constitute the official ballot and shall be preserved and used as the official ballot suitable for purposes of the tabulation of votes and any audit or recount conducted with respect to any election in which the voting system is used. On and after January 1, 2025, each paper ballot shall be counted by hand in any recount conducted with respect to any election, ~~unless the requestor of a recount pursuant to K.S.A. 25-3107, and amendments thereto, elects not to have the ballots counted by hand.~~

(4) In the event of any inconsistencies or irregularities between any electronic vote tallies counted prior to January 1, 2025, and the vote tallies determined by counting by hand the paper ballots cast, the paper ballots as counted by hand shall be the true and correct record of the votes cast.

(b) On and after January 1, 2025, the use of electronic or electromechanical voting or tabulation systems and electronic poll books or poll books not requiring a hand-written signature shall be prohibited.

(c) On or before January 1, ~~2023~~ 2025, the secretary of state shall adopt rules and regulations to implement the provisions of this section.

Sec. 3. K.S.A. 25-3001 is hereby amended to read as follows: 25-3001. Election boards shall make the original canvass according to the following procedure:

(a) A ballot box shall be opened and a judge designated by the supervising judge shall take the ballots out of the box either one at a time or in limited quantities as authorized by the supervising judge.

(b) A judge shall read and announce the vote on the ballot for each candidate. In reading and announcing the vote on ballots, the judge shall so place the ballot that another member of the election board may view the ballot as the vote is announced. The

clerks shall make a tally mark opposite the name of each candidate receiving a vote as announced by the judge. Such tally marks shall be made upon tally sheets provided by the county election officer. The supervising judge may direct a judge to perform the functions of a clerk for limited periods during the canvass and thereby temporarily relieve one or both clerks.

(c) After one judge announces the votes upon a ballot, ~~he such judge~~ shall hand the same to a second judge, who shall examine it and dispose of it as provided in this act.

(d) Void and blank ballots shall be announced by the judge, and the clerks shall make one tally mark for each such ballot opposite the proper designation on the tally sheet.

(e) From time to time during the canvass the clerks shall compare tally sheets and reconcile any differences to the satisfaction of a majority of the election board. When the canvass is completed, the number of votes received by each candidate shall be written in the indicated place on the tally sheet.

(f) When the canvass is completed on the night of the election, or if the canvass is continued from day to day at the completion of canvassing on each day, the supervising judge shall promptly transmit the number of votes received by each candidate or the number of votes received for and against a question submitted to the voters to the secretary of state or the secretary's designee as provided by K.S.A. 25-3006, and amendments thereto.

Sec. 4. K.S.A. 25-3006 is hereby amended to read as follows: 25-3006. (a) When the election board completes its canvass, it shall make three abstracts of the vote cast for all candidates whose names are printed on the ballot, all write-in votes cast and all votes cast on questions submitted. Such abstracts shall be made under the direction of the supervising judge upon forms provided by the county election officer. Each of such three abstracts shall bear a certificate of the validity thereof and each certificate shall be signed by all of the clerks and judges at the voting place.

(b) In voting places prior to January 1, 2025, where voting machines equipped with printed election returns mechanisms are used, the counter compartment shall not be opened and the original and duplicate originals of the printed return sheets of the votes cast on questions submitted and for candidates whose names are printed on the official ballot labels, together with the tabulation and inclusion of any write-in votes appearing on the paper roll shall constitute the official abstract for the votes cast on that machine, when coupled with the other originals and duplicate originals of other machines in the voting place and certified as abstracts of the vote cast at such voting place, upon forms and in the manner prescribed by the county election officer. On an after January 1, 2025, only manual hand counting of the votes cast, as provided by K.S.A. 25-3001, and amendments thereto, shall be permitted.

(c) When the election board completes its canvass on the night of the election and has made the abstracts as provided by subsections (a) and (b), the supervising judge shall promptly report the votes cast for all candidates whose names are printed on the ballot, all write-in votes cast and all votes cast on questions submitted to the secretary of state or the secretary's designee. If the canvass is not completed the night of the election, the supervising judge shall promptly report the votes counted as indicated by the tally sheets at the end of canvassing each day that the canvass continues until the canvass is completed and shall then promptly report the completed canvass results. Reports shall be made and transmitted in the form and manner as determined by the

secretary and approved by the legislature. All vote counts or results reported to the secretary of state or the secretary's designee shall be as agreed by the supervising judge and all judges and clerks at the voting place. Such reports shall not be considered in determining the official abstract or be considered as evidence in any proceeding challenging the results of any election but shall be utilized solely for purposes of providing current election vote count information for the interest of the public by the secretary of state. The secretary shall promptly publish such unofficial vote counts when reported and the final unofficial results on the secretary's website by voting area or precinct, county and aggregate totals.

~~(e)~~(d) The secretary of state may adopt rules and regulations prescribing procedures and forms to be used in carrying out the provisions of this section and K.S.A. 25-1338, as amended and amendments thereto.

Sec. 5. K.S.A. 2023 Supp. 25-3107 is hereby amended to read as follows: 25-3107. (a) At the time of commencement of any canvass by the county board of canvassers the county election officer shall present to the county board of canvassers the preliminary abstracts of election returns, together with the ballots and records returned by the election boards and, as provided by rules and regulations adopted by the secretary of state as authorized by K.S.A. 25-1132(b), and amendments thereto, advance voting ballots received after the closing of the polls pursuant to K.S.A. 25-1132(b), and amendments thereto. The county board of canvassers shall inspect and check the records presented by the county election officer and shall hear any questions which the county election officer believes appropriate for determination of the board. The county board of canvassers shall do what is necessary to obtain an accurate and just canvass of the election and shall finalize the preliminary abstract of election returns by making any needed changes, and certifying its authenticity and accuracy. The certification of the county board of canvassers shall be attested by the county election officer. Neither the county board of canvassers nor the county election officer shall open or unseal sacks or envelopes of ballots, except as is required by K.S.A. 25-409, 25-1136 and 25-1337, and amendments thereto, or other specific provision of law or as is authorized to carry out a recount under subsection (b), or as authorized under subsection (e).

(b) If a majority of the members of the county board of canvassers shall determine that there are manifest errors appearing on the face of the poll books of any election board, which might make a difference in the result of any election, or if any candidate shall request the recount of the ballots cast in all or in only specified voting areas for the office for which the person is a candidate, or if any registered elector who cast a ballot in a question submitted election requests a recount in all or only specified voting areas to determine the result of the election, the county board of canvassers shall cause a special election board appointed by the county election officer to meet under the supervision of the county election officer and recount the ballots with respect to any office or question submitted specified by the county board of canvassers or requested by the candidate or elector. If a recount is required in a county that uses optical scanning systems as defined in K.S.A. 25-4601 et seq., and amendments thereto, or electronic or electromechanical voting systems, as defined in K.S.A. 25-4401, and amendments thereto, the method of conducting the recount shall be at the discretion of the person requesting the recount. The county election officer shall not be a member of the special election board. Before the special election board meets to recount the ballots upon a properly filed request, the party who makes the request shall file with the county

election officer a bond, with security to be approved by the county or district attorney, conditioned to pay all costs incurred by the county in making the recount. In the event that the candidate requesting the recount is declared the winner of the election as a result of the recount, or if as a result of the recount a question submitted is overturned, no action shall be taken on the person's bond and the county shall bear the costs incurred for the recount. Any recount must be requested in writing and filed with the county election officer not later than 5 p.m. on the day following the last meeting of the county board of canvassers. The request shall specify which voting areas are to be recounted. The county election officer shall immediately notify any candidate involved in the election for which the recount is requested, or shall notify the county chairperson of each candidate's party. Any recount shall be initiated not later than the following day and shall be completed not later than 5 p.m. on the fifth day following the filing of the request for a recount, including Saturdays, Sundays and holidays. Upon completion of any recount under this subsection, the election board shall package and reseal the ballots as provided by law and the county board of canvassers shall complete its canvass. The members of the special election board shall be paid as prescribed in K.S.A. 25-2811, and amendments thereto, for time actually spent making the recount.

(c) (1) The provisions of this subsection shall apply to any election for:

(A) Any state or national office elected on a statewide basis;

(B) the office of president or vice president of the United States;

(C) the office of members of the United States house of representatives;

(D) the office of members of the state senate or house of representatives whose district is located in two or more counties;

(E) the office of members of the state board of education; and

(F) a constitutional amendment.

(2) Any candidate may request a recount in one or more counties. Any registered elector who cast a ballot in an election for a constitutional amendment submitted may request a recount in one or more counties. Any such recount shall be requested in writing and filed with the secretary of state not later than 5 p.m. on the day following the last meeting of the county board of canvassers canvassing votes in the election for which the recount is requested. The request shall specify which counties or precincts are to be recounted. If a recount is required in a county that uses optical scanning equipment, as defined in K.S.A. 25-4601, and amendments thereto, or electronic or electromechanical voting systems, as defined in K.S.A. 25-4401, and amendments thereto, the method of conducting the recount shall be at the discretion of the person requesting the recount. Except as provided by this subsection and subsection (d), the person requesting the recount shall file, contemporaneously with a request for a recount, a bond with the secretary of state, with security to be approved by the secretary of state, conditioned to pay all costs incurred by the counties and the secretary of state in making the recount. The amount of the bond shall be determined by the secretary of state. A candidate described in subsection (c)(1)(D) and (E) may post a bond as provided by subsection (b) in lieu of the bond required by this subsection. In the event that the candidate requesting the recount is declared the winner of the election as a result of the recount, no action shall be taken on the candidate's bond and the counties shall bear the costs incurred for the recount.

(3) The secretary of state immediately shall notify each county election officer affected by the recount and any candidate involved in the election for which the recount

is requested. If the candidate cannot be reached, then the secretary of state shall notify the state chairperson of such candidate's party. Any such recount shall be conducted under the supervision of the county election officers at the direction of the secretary of state, and shall be initiated not later than the following day and shall be completed not later than 5 p.m. on the fifth day following the filing of the request for a recount, including Saturdays, Sundays and holidays. Each county election officer involved in the recount shall appoint a special election board to recount the ballots. The members of the special election board shall be paid as prescribed in K.S.A. 25-2811, and amendments thereto, for time actually spent making the recount. Upon completion of any recount under this subsection, the special election board in each county shall package and reseal the ballots as provided by law and the county board of canvassers shall complete its canvass. The county election officer in each county immediately shall certify the results of the recount to the secretary of state.

(d) (1) The provisions of this subsection shall apply to any general elections for:

- (A) Any state or national office elected on a statewide basis;
- (B) the office of president or vice president of the United States;
- (C) the office of members of the United States house of representatives;
- (D) the office of members of the state senate or house of representatives; and
- (E) the office of members of the state board of education.

(2) Whenever the election returns reflect that a candidate for office was defeated by $\frac{1}{2}$ of 1% or less of the total number of votes cast and if the candidate requests a recount in one or more counties, no bond shall be required and the state shall bear the cost of any recount performed using the method by which the ballots were counted originally.

(3) Not later than 60 days following a recount conducted pursuant to this subsection, the board of county commissioners of each county in which the recount occurred shall certify to the secretary of state the amount of all necessary direct expenses incurred by the county. Payment for such expenses shall be made to the county treasurer of the county upon warrants of the director of accounts and reports pursuant to vouchers approved by the secretary of state. Upon receipt of such payment and reimbursements, the county treasurer shall deposit the entire amount thereof in the county election fund, if there is one and if there is not then to the county general fund.

(4) The secretary of state, with the advice of the director of accounts and reports, shall determine the correctness of each amount certified under this section and adjust any discrepancies discovered before approving vouchers for payment to any county.

(e) Procedures for canvassing and challenging advance voting ballots received by mail after the closing of the polls pursuant to K.S.A. 25-1132(b), and amendments thereto, shall be as set forth in rules and regulations adopted by the secretary of state as authorized by K.S.A. 25-1132(b), and amendments thereto.

(f) A special election board conducting a recount as provided by this section shall report the results of the recount promptly at the close of each day and upon completion of the recount to the secretary of state or the secretary's designee, and from time to time during the recount when requested by the secretary or secretary's designee, for the purpose of publication of the recount results on the secretary's website. Reports shall be made and transmitted in the form and manner as determined by the secretary of state. All vote counts or results reported shall be as agreed by all members of the special election board. Such reports shall not be considered in determining the official results or be considered as evidence in any proceeding challenging the results of any election or

recount but shall be utilized solely for purposes of providing current information for the interest of the public. The secretary shall promptly publish the most current unofficial recount results and the unofficial completed recount results on the secretary's website by voting area or precinct, county and aggregate totals.

Sec. 6. K.S.A. 2023 Supp. 25-4402 is hereby amended to read as follows: 25-4402. (a) Except as provided in subsections (b) and (c) and subject to the limitations of article 44 of chapter 25 of Kansas Statutes Annotated and K.S.A. 2023 Supp. 25-2912, and amendments thereto, the board of county commissioners and the county election officer of any county are authorized to purchase, lease or rent and use electronic or electromechanical voting systems or electronic poll books as provided by K.S.A. 25-4403, and amendments thereto.

(b) On and after January 1, 2025, no board of county commissioners or the county election officer of any county shall purchase, lease, rent or use any electronic poll books.

(c) On and after January 1, 2025, no board of county commissioners or the county election officer of any county shall purchase, lease, rent or use any electromechanical vote tabulating equipment.

Sec. 7. K.S.A. 2023 Supp. 25-4403 is hereby amended to read as follows: 25-4403. (a) The board of county commissioners and the county election officer of any county may provide an electronic or electromechanical voting system or electronic poll books to be used at voting places, or for advance voting in the county at national, state, county, township, city and school primary and general elections and in question submitted elections. Electronic or electromechanical voting systems or electronic poll books shall not be used on and after January 1, 2025.

(b) The board of county commissioners of any county in which the board of county commissioners and county election officer have determined that an electronic or electromechanical voting system or electronic poll books shall be used may issue bonds to finance and pay for purchase, lease or rental of such a system. Such bonds shall not be issued after the effective date of this act.

(c) The board of county commissioners and the county election officer of any county may adopt, experiment with or abandon any electronic or electromechanical system or electronic poll books herein authorized and approved for use in the state and may use such a system in all or any part of the voting areas within the county or in combination with an optical scanning voting system or with regular paper ballots, except that electronic poll books and electronic or electromechanical voting systems or tabulating equipment, including optical scanning equipment, shall not be used on and after January 1, 2025. Whenever the secretary of state rescinds approval of any voting system or electronic poll books, the board of county commissioners and the county election officer shall abandon the system or electronic poll books until changes therein required by the secretary of state have been made, or if the secretary of state advises that acceptable changes cannot be made therein, the abandonment shall be permanent.

(d) On and after the effective date of this act, no board of county commissioners in any county may purchase, lease or rent any direct recording electronic system, as defined in K.S.A. 25-4401(d), and amendments thereto. On and after the effective date of this act, and before January 1, 2025, no board of county commissioners in any county may purchase, lease or rent any electronic or electromechanical voting system, unless such system:

(1) Provides a paper record of each vote cast, produced at the time the vote is cast; and

(2) has the ability to be tested both before an election and prior to the date of canvass. Such test shall include the ability to match the paper record of the machine to the vote total contained in the machine.

(e) On and after January 1, 2025, no board of county commissioners in any county or the county election officer of any county shall purchase, lease, rent or use any electronic or electromechanical voting system or any electromechanical vote tabulating equipment, including, but not limited to, optical scanning equipment. On and after January 1, 2025, only manual hand counting of ballots shall be permitted.

(f) No component of an electronic or electromechanical voting system shall have the capability to be connected to the internet or to any other communications or computer network, including, but not limited to, a local area network, wireless network, cellular network or satellite network, or to use bluetooth or any other wireless communications technology.

~~(g)~~ On and after July 1, 2022, and before January 1, 2025, no board of county commissioners or the county election officer of any county may purchase, lease or rent any electronic poll books unless the kind or make of such poll books have been certified by the secretary of state. No electronic poll book may be operated unless its network connectivity meets the security standards established by the secretary of state. On and after January 1, 2025, no board of county commissioners or the county election officer of any county shall operate, purchase, lease, rent or use any electronic poll books.

Sec. 8. K.S.A. 2023 Supp. 25-4404 is hereby amended to read as follows: 25-4404. (a) Subject to the limitations of article 44 of chapter 25 of Kansas Statutes Annotated and K.S.A. 2023 Supp. 25-2912, and amendments thereto, and this section, the secretary of state shall examine and approve the kinds or makes of electronic or electromechanical voting systems, including operating systems, firmware and software, and electronic poll books, and no kind or make of such system or electronic poll book shall be used at any election unless and until it receives certification by the secretary of state and a statement thereof is filed in the office of the secretary of state.

(b) Prior to certifying any system or electronic poll book as provided in paragraph (1) for use in an election occurring prior to January 1, 2025, the secretary of state shall cause the system or electronic poll book to be examined by a qualified, independent third party. The examination shall include inspection of the hardware, software, firmware and source code. Systems or electronic poll books offered or supplied by a vendor that declines to permit a complete examination shall not be certified by the secretary of state and shall not be used.

(c) On and after January 1, 2025, electronic or electromechanical voting systems and electronic poll books shall not be used in any election.

Sec. 9. K.S.A. 2023 Supp. 25-4405 is hereby amended to read as follows: 25-4405. (a) Any person, firm or corporation desiring to sell any kind or make of electronic or electromechanical voting system or electronic poll book to political subdivisions in Kansas ~~may shall~~ in writing request the secretary of state to examine the kind or make of the system which it desires to sell and shall accompany the request with a certified check in the sum of \$250 payable to the secretary of state to be used to defray a portion of the costs of such examination, and shall furnish at its own expense such system to the secretary of state for use in examining such system. The secretary of state ~~may shall~~

require such person, firm or corporation to furnish a competent person to explain the system or electronic poll book and demonstrate by the operation of such system or electronic poll book that it complies with any applicable state and federal laws and regulations. The secretary of state ~~may shall~~ employ ~~a an independent, qualified and~~ competent person or persons to assist in the examination and to advise the secretary as to the sufficiency of such voting system or electronic poll book and to pay such persons reasonable compensation therefor. The costs of employment and any other costs associated with the approval of such system shall be paid by the applicant. The examination shall be conducted as provided in K.S.A. 25-4404, and amendments thereto. Electronic or electromechanical voting systems or electronic poll books not made available for a complete examination shall not be purchased or used.

(b) The secretary of state ~~may shall~~ require a review of any theretofore approved electronic or electromechanical voting system or electronic poll book and the equipment and operation thereof. Such review shall be commenced by the secretary of state giving written notice thereof to the person, firm or corporation which sought approval of the voting system or electronic poll book and to each county election officer and county commissioner of counties known to have purchased, leased or rented any such voting system or electronic poll book or equipment thereof. Such notice shall fix a time and place of hearing at which those persons wishing to be heard may appear and give oral or written testimony and explanation of the voting system or electronic poll book, its equipment and operation and experience had therewith. The electronic or electromechanical voting system or electronic poll book shall be examined as provided in K.S.A. 25-4404, and amendments thereto. After such complete hearing date and after such review as the secretary of state deems appropriate, the secretary of state may renew approval of the voting system or electronic poll book, require changes therein for continued approval thereof or rescind approval previously given on either a conditioned or permanent basis.

(c) The secretary of state may appoint persons to assist county election officers or county commissioners in the testing of any electronic or electromechanical voting system or electronic poll book and its equipment or the programs of such system or electronic poll book.

(d) On and after January 1, 2025, electronic or electromechanical voting systems and electronic poll books shall not be used in any election.

Sec. 10. K.S.A. 2023 Supp. 25-4407 is hereby amended to read as follows: 25-4407. (a) When a board of commissioners and county election officer have determined that such kind or make of electronic or electromechanical voting system or electronic poll book shall be used in a county, the board of county commissioners and the county election officer shall provide such number of units as shall be necessary to equip voting places for the use of voters.

(b) No tax shall be levied under this section, nor shall any moneys be paid from any fund under authority of this section for any contract to purchase, lease or rent any electronic or electromechanical voting system or equipment thereof or electronic poll books, if approval of such voting system or equipment or kind or make of electronic poll book has been rescinded by the secretary of state.

(c) The secretary of state may purchase, rent or lease voting equipment ~~only~~ for the purpose of providing such equipment to counties ~~pursuant to the provisions of the help America vote act of 2002~~ as deemed necessary by the secretary. On and after January 1,

2025, electronic or electromechanical voting systems and electronic poll books shall not be used.

Sec. 11. K.S.A. 2023 Supp. 25-4408 is hereby amended to read as follows: 25-4408. The board of county commissioners shall provide for the storage of electronic or electromechanical voting systems and electronic poll books. The county election officer shall be in complete charge of the voting systems and electronic poll books, their safekeeping when not in use and keeping them in repair and working order and shall see that they are delivered to the voting places in time for all arrangements to be made and for the voting systems and electronic poll books to be ready for use at the hour of opening the polls. After the election the county election officer shall see that the voting systems and electronic poll books are returned to the place of storage, or are secured for on-site storage. On and after January 1, 2025, electronic or electromechanical voting systems and electronic poll books shall not be used.

Sec. 12. K.S.A. 2023 Supp. 25-4411 is hereby amended to read as follows: 25-4411. (a) The vote tabulation equipment may be located at any place within the county approved by the county election officer.

(b) Within five days prior to the date of the election, the county election officer shall have the automatic tabulating equipment tested to ascertain that the equipment will correctly count the votes cast for all offices and on all questions submitted. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication once in a newspaper of general circulation in the county or city where such equipment is to be used and on the county website, if the county has a website. The test shall be open to representatives of the political parties, candidates, the press and the public. The test shall be conducted by processing a preaudited group of ballots marked to record a predetermined number of valid votes for each candidate and on each measure, and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the automatic tabulating equipment to reject such votes. If any error is detected, the cause therefor shall be ascertained and corrected and an errorless count shall be made before the automatic tabulating equipment is approved. The test shall be repeated within five business days after the completion of the canvass. The equipment, programs and ballots shall be secured and retained by the county election officer.

(c) On and after January 1, 2025, electromechanical vote tabulation equipment shall not be used for the counting of votes. Only manual hand counting shall be used for the counting of the votes cast for all offices and on all questions submitted.

Sec. 13. K.S.A. 2023 Supp. 25-4414 is hereby amended to read as follows: 25-4414. (a) Electronic or electromechanical voting system or electronic poll book fraud is, if occurring prior to January 1, 2025:

(1) Being in unlawful or unauthorized possession of electronic or electromechanical voting system equipment, electronic poll book equipment, computer programs, operating systems, firmware, software or ballots;

(2) accessing without authorization or facilitating the unauthorized access to electronic or electromechanical voting system equipment, electronic poll book equipment, computer programs, operating systems, firmware, software or ballots;

(3) knowingly publishing or causing to be published any password or other confidential information relating to electronic or electromechanical voting system equipment, electronic poll book equipment, computer programs, operating systems,

firmware or software; or

(4) intentionally tampering with, altering, disarranging, defacing, impairing or destroying any electronic or electromechanical voting system, electronic poll book or component part thereof, or any ballot used by such electronic or electromechanical voting systems.

(b) Electronic or electromechanical voting system or electronic poll book fraud is a severity level 9, nonperson felony.

Sec. 14. K.S.A. 2023 Supp. 25-4415 is hereby amended to read as follows: 25-4415. The secretary of state may adopt rules and regulations:

(a) For the use of electronic and electromechanical voting systems prior to January 1, 2025, to count votes under the election laws of this state;

(b) for the use of electronic poll books prior to January 1, 2025, to process voters at polling places; and

(c) necessary for the administration of this act.

Sec. 15. K.S.A. 2023 Supp. 25-4610 is hereby amended to read as follows: 25-4610. (a) The optical scanning equipment may be located at any place within the county approved by the county election officer.

(b) Within five days prior to the date of the election, the county election officer shall have the optical scanning equipment tested to ascertain that the equipment will correctly count the votes cast for all offices and on all questions submitted. Public notice of the time and place of the test shall be given at least 48 hours prior thereto by publication once in a newspaper of general circulation in the county where such equipment is to be used and on the county website, if the county has a website. The test shall be open to representatives of the political parties, candidates, the press and the public. The test shall be conducted by processing a preaudited group of ballots marked as to record a predetermined number of valid votes for each candidate and on each question submitted, and shall include for each office one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the optical scanning equipment to reject such votes. If any error is detected, the cause therefor shall be ascertained and corrected and an errorless count shall be made before the optical scanning equipment is approved. The test shall be repeated within five business days after the completion of the canvass. The programs and ballots shall be sealed, retained and disposed of in the same manner as paper ballots.

(c) On and after January 1, 2025, optical scanning equipment shall not be used for the counting of votes. Only manual hand counting shall be used to count the votes cast for all offices and on all questions submitted.

Sec. 16. K.S.A. 2023 Supp. 25-4613 is hereby amended to read as follows: 25-4613. On and after January 1, 2025, optical scanning equipment shall not be used for the counting of votes. Only manual hand counting shall be used to count the votes cast for all offices and on all questions submitted. Prior to January 1, 2025, optical scanning equipment and systems using optical scanning equipment approved by the secretary of state:

(a) Shall be capable of being tested to ascertain that the equipment will correctly count votes cast for all offices and on all questions submitted;

(b) shall be capable of printing in legible form, reports and summaries of the election results as required by articles 30 and 31 of chapter 25 of Kansas Statutes Annotated, and amendments thereto;

(c) shall be capable of tabulating votes for candidates for nomination or election of all political parties officially recognized pursuant to K.S.A. 25-302a, and amendments thereto;

(d) shall be capable of tabulating votes for any independent candidate of any office;

(e) shall be capable of tabulating votes for constitutional amendments or other questions submitted;

(f) shall be capable of tabulating the number of "write-in" votes cast for any office;

(g) shall not count any votes for an office or upon a question submitted when the voter has cast more votes for such office or upon such question than the voter is entitled to cast;

(h) shall provide notification when the voter has cast more votes for such office or upon such question than the voter is entitled to cast; and

~~(i) shall meet the requirements of the help America vote act of 2002 and other federal statutes and regulations governing voting equipment; and~~

~~(j) shall not have the capability nor shall any component of an optical scanning system have the capability to be connected to the internet or to any other communications or computer network, including, but not limited to, a local area network, wireless network, cellular network or satellite network, or to use bluetooth or any other wireless communications technology."~~

Also on page 1, in line 30, by striking "is" and inserting ", 25-3001 and 25-3006 and K.S.A. 2023 Supp. 25-2912, 25-3107, 25-4402, 25-4403, 25-4404, 25-4405, 25-4407, 25-4408, 25-4411, 25-4414, 25-4415, 25-4610 and 25-4613 are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "advance voting"; in line 2, by striking "such" and inserting "advance voting"; in line 3, after the semicolon by inserting "requiring the hand counting of ballots; prohibiting the use of electronic or electromechanical voting systems and electronic poll books; providing for the public reporting of vote counts during vote canvassing;"; also in line 3, after "25-1132" by inserting ", 25-3001 and 25-3006 and K.S.A. 2023 Supp. 25-2912, 25-3107, 25-4402, 25-4403, 25-4404, 25-4405, 25-4407, 25-4408, 25-4411, 25-4414, 25-4415, 25-4610 and 25-4613"; also in line 3, by striking "section" and inserting "sections"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 17; Nays 15; Present and Passing 7; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Olson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Tyson.

Nays: Bowers, Corson, Dietrich, Doll, Francisco, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Wilborn.

Present and Passing: Faust-Goudeau, Haley, Holscher, Kloos, Masterson, Thompson, Warren.

Absent or Not Voting: Holland.

SB 365 be further amended by motion of Senator Tyson; on page 1, following line 29, by inserting:

"Sec. 2. K.S.A. 2023 Supp. 25-2908 is hereby amended to read as follows: 25-2908. (a) Each polling place shall use either: (1) A registration book and a poll book, as defined in K.S.A. 25-2507(a) and 25-2507(b)(1), and amendments thereto; or (2) a registration book, as defined in K.S.A. 25-2507(b)(2), and amendments thereto. The

county election officer shall determine which books are used in each county; and which book voters shall sign.

(b) A person desiring to vote shall provide to the election board: (1) The voter's name; (2) if required, the voter's address; (3) the voter's signature on the registration or poll book; and (4) a valid form of identification listed in subsection (h). A signature may be made by mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding. A signature may be made by another person at the voter's direction if the signature reflects such voter's intention.

(c) A member of the election board shall:

(1) Announce the voter's name in a loud and distinct tone of voice, and, if the name is in the registration books, the member of the election board having the registration record shall repeat the name;

(2) request the voter's signature on the registration or poll book;

(3) provide the required signature at the request of and on behalf of any voter who is unable to personally affix a signature by reason of temporary illness or disability, or lack of proficiency in reading the English language;

(4) request a valid form of identification from the voter. If the member of the election board is satisfied that the voter is the person depicted in the identification and that the identification provided is one of the valid forms of identification listed in subsection (h), the member of the election board shall place such member's initials in the space provided and allow the voter to vote;

(5) give the voter one ballot, on the upper right-hand corner of which shall be written the number corresponding to the voter's number in the registration book or poll book; and

(6) mark the voter's name in the registration book and party affiliation list.

(d) If a voter is unable or refuses to provide current and valid identification, ~~the voter may vote a provisional ballot pursuant to K.S.A. 25-409, and amendments thereto.~~ or if the voter's name and address do not match the voter's name and address on the registration book or poll book, the voter ~~may~~ shall vote a provisional ballot according to K.S.A. 25-409, and amendments thereto. The voter shall provide a valid form of identification as defined in subsection (h) to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) If the name of any person desiring to vote at an election is not in the registration books, an election board member shall print the name and address of the person appearing to vote in the registration book or poll book. The person appearing to vote shall add such person's signature to the registration book or poll book beside such person's printed name, as listed in the registration book or poll book, and the election board judge shall challenge such person's vote pursuant to K.S.A. 25-414, and amendments thereto. During the pendency of a challenge other voters shall be given ballots and be permitted to vote.

(f) A voter who has received an advance voting ballot may vote a provisional ballot

on election day at the precinct polling place where the voter resides. If the voter returns the advance voting ballot to a judge or clerk at the precinct polling place, the judge or clerk shall void such advance voting ballot. Any such provisional ballot shall be counted only if the county board of canvassers determines that the provisional ballot was properly cast and the voter has not otherwise voted at such election.

(g) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and define valid forms of identification with greater specificity, however the requirement that a voter must provide a form of identification that complies with subsection (h) may not be altered.

(h) (1) The following forms of identification shall be valid if the identification contains the name and photograph of the voter and has not expired. Expired documents shall be valid if the bearer of the document is 65 years of age or older:

(A) A driver's license issued by Kansas or by another state or district of the United States;

(B) a state identification card issued by Kansas or by another state or district of the United States;

(C) a concealed carry of handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the United States;

(D) a United States passport;

(E) an employee badge issued by a municipal, county, state, or federal government office or agency;

(F) a military identification document issued by the United States;

(G) a student identification card issued by an accredited postsecondary institution of education in the state of Kansas;

(H) a public assistance identification card issued by a municipal, county, state, or federal government office or agency; or

(I) an identification card issued by an Indian tribe.

(2) If the person fails to furnish the identification required by this subsection, the person shall be allowed to vote a provisional ballot. The canvassing board shall determine the validity of the ballot pursuant to K.S.A. 25-3002, and amendments thereto.

(i) The following persons are exempt from the photographic identification document requirements of this section:

(1) Persons with a permanent physical disability that makes it impossible for such persons to travel to a county or state office to obtain a qualifying form of identification and have qualified for permanent advance voting status under K.S.A. 25-1124, and amendments thereto;

(2) members of the uniformed service on active duty who, by reason of such active duty, are absent from the county on election day;

(3) members of the merchant marine who, by reason of service in the merchant marine, are absent from the county on election day;

(4) the spouse or dependent of a member referred to in paragraph (2) or (3), who, by reason of the active duty or service of the member, is absent from the county on election day; and

(5) any voter whose religious beliefs prohibit photographic identification. Any person seeking an exemption under this provision must complete and transmit a declaration concerning such religious beliefs to the county election officer or the Kansas

secretary of state. The declaration form shall be available on the official website of the Kansas secretary of state.

(j) "Indian tribe" or "tribe" means any Indian tribe, band, nation or other organized group or community of Indians recognized as eligible for the services provided to Indians by the secretary of the interior because of their status as Indians, including any Alaska native village, as defined in 43 U.S.C. § 1602(c).";

Also on page 1, in line 30, by striking "is" and inserting "and K.S.A. 2023 Supp. 25-2908 are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after the first semicolon; in line 3, after the semicolon by inserting "requiring a provisional ballot when a voter's identification information does not match the voter's registration;"; also in line 3, after "25-1132" by inserting "and K.S.A. 2023 Supp. 25-2908"; also in line 3, by striking "section" and inserting "sections"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 27; Nays 6; Present and Passing 3; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Kerschen, Longbine, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Holscher, Pittman, Reddi, Sykes, Ware.

Present and Passing: Francisco, Haley, Pettey.

Absent or Not Voting: Doll, Holland, Kloos, Masterson.

SB 365 be further amended by motion of Senator Tyson; on page 1, following line 29, by inserting:

"Sec. 2. K.S.A. 2023 Supp. 25-2316c is hereby amended to read as follows: 25-2316c. (a) When a registered voter changes name by marriage, divorce or legal proceeding, if the voter is otherwise qualified to vote at such voting place the voter shall be allowed to vote a provisional ballot at any election, or apply for an advance voting ballot, on the condition that the voter first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration records, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable mail, a notice of disposition to any voter completing such application.

(b) When a registered voter changes residence, the voter shall reregister in order to be eligible to vote, except that when a registrant has moved from an address on the registration book to another address within the county and has not reregistered, the registrant shall be allowed to vote a provisional ballot at any election, or to apply for an advance voting ballot, on the condition that the registrant first completes the application for registration prescribed by K.S.A. 25-2309, and amendments thereto. Completion of the application shall authorize the county election officer to update the registration record, if appropriate, for voting in future elections. The county election officer shall send, by nonforwardable mail, a notice of disposition to any such voter. Whenever the county election officer receives from any other election officer a notice of registration of a voter in a different place than that shown in the records of the county election officer, the officer shall remove the name of the voter from the registration book and

party affiliation list.

(c) Every application for registration completed under this section shall be returned to the county election officer with the registration books.

(d) A registrant shall not be removed from the registration list on the ground that the registrant has changed residence unless the registrant:

(1) Confirms in writing that the registrant has moved outside the county in which the registrant is registered, or registers to vote in any other jurisdiction; or

(2) (A) (i) has failed to respond to the notice described in subsection (e)(1) through (e)(4); or (ii) the notice described in subsection (e)(5) is returned as undeliverable; and (B) has not appeared to vote in an election during the period beginning on the date of the notice and ending on the day after the date of the second federal general election that occurs after the date of the notice.

(e) A county election officer shall send a confirmation notice upon which a registrant may state such registrant's current address, within 45 days of the following events:

(1) A notice of disposition of an application for voter registration is returned as undeliverable;

(2) change of address information supplied by the national change of address program identifies a registrant whose address may have changed;

(3) if it appears from information provided by the postal service that a registrant has moved to a different residence address in the county in which the registrant is currently registered;

(4) if it appears from information provided by the postal service that a registrant has moved to a different residence address outside the county in which the registrant is currently registered; or

(5) if the registrant has no election-related activity for any four-calendar year period. No election-related activity means that the elector has not voted, attempted to vote, requested or submitted an advance ballot application, filed an updated voter registration card, signed a petition, which is required by law to be verified by the county election officer or the secretary of state, or responded to any official election mailing transmitted by the county election office.

The confirmation notice shall be sent by forwardable mail and shall include a postage prepaid and preaddressed return card in a form prescribed by the chief state election official.

(f) Except as otherwise provided by law, when a voter dies or is disqualified for voting, the registration of the voter shall be void, and the county election officer shall remove such voter's name from the registration books and the party affiliation lists. Whenever: (1) An obituary notice appears in a newspaper having general circulation in the county reports the death of a registered voter; ~~or~~; (2) a registered voter requests in writing that such voter's name be removed from registration; ~~or~~; (3) a court of competent jurisdiction orders removal of the name of a registered voter from registration lists; ~~or~~; (4) a duplicate registration is reported pursuant to K.S.A. 25-2354, and amendments thereto; or (5) the name of a registered voter appears on a list of deceased residents compiled by the secretary of health and environment as provided in K.S.A. 65-2422, and amendments thereto, or appears on a copy of a death certificate provided by the secretary of health and environment, or appears in information provided by the social security administration, the county election officer shall remove from the

registration books and the party affiliation lists in such officer's office the name of any person shown by such list, report or death certificate to be deceased. The county election officer shall not use or permit the use of such lists of deceased residents or copies for any other purpose than provided in this section.

(g) When the chief state election official receives written notice of a felony conviction in a United States district court, such official shall notify within five days the county election officer of the jurisdiction in which the offender resides. Upon notification of a felony conviction from the chief state election official, or from a county or district attorney or a Kansas district court, the county election officer shall remove the name of the offender from the registration records.

(h) Except as otherwise provided in this section, no person whose name has been removed from the registration books shall be entitled to vote until such person has registered again.";

Also on page 1, in line 30, by striking "is" and inserting "and K.S.A. 2023 Supp. 25-2316c are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after the first semicolon; in line 3, after the semicolon by inserting "requiring removal of duplicate voter registrations from voter registration lists;"; also in line 3, after "25-1132" by inserting "and K.S.A. 2023 Supp. 25-2316c"; also in line 3, by striking "section" and inserting "sections"

A motion by Senator Faust-Goudeau to amend **SB 365** failed.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 254** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 254," as follows:

"Substitute for SENATE BILL NO. 254

By Committee on Federal and State Affairs

"AN ACT concerning the office of United States senator; relating to the filling of a vacancy in such office; requiring appointment of a person of the same political party as the incumbent; requiring senate confirmation of such appointment; amending K.S.A. 25-318 and repealing the existing section.";

And the substitute bill be passed.

Committee on **Utilities** recommends **SB 487** be amended on page 1, in line 13, by striking "counties" and inserting "governing bodies"; also in line 13, by striking "county" and inserting "governing body of a PSAP";

On page 3, in line 34, by striking "counties" and inserting "governing bodies"; in line 35, by striking "county" and inserting "governing body of a PSAP";

On page 4, in line 6, by striking "counties" and inserting "governing bodies"; in line 7, by striking "county" and inserting "governing body of a PSAP"; in line 25, by striking the first "county" and inserting "governing body"; also in line 25, by striking the second "county" and inserting "governing body of a PSAP"; in line 28, by striking "county" and inserting "governing body that contracts with another governing body of a PSAP for the provision of 911 services"; in line 29, by striking "county" and inserting "governing body"; in line 31, by striking "county" and inserting "governing body"; in line 36, by striking "county" and inserting "governing body"; in line 37, by striking "county" and inserting "governing body"; in line 40, by striking "county" and inserting

"governing body that contracts with another governing body of a PSAP for the provision of 911 services";

On page 5, in line 28, by striking the first "county" and inserting "governing body"; also in line 28, by striking the second "county" and inserting "governing body of a PSAP"; in line 30, by striking "county" and inserting "governing body"; in line 32, by striking "county" and inserting "governing body"; in line 35, by striking the first "county" and inserting "governing body"; also in line 35, by striking the second "county" and inserting "governing body of a PSAP"; in line 38, by striking "county" and inserting "governing body that contracts with another governing body of a PSAP for the provision of 911 services"; in line 39, by striking "county" and inserting "governing body"; in line 41, by striking "county" and inserting "governing body"; in line 42, by striking "county" and inserting "governing body";

On page 6, in line 16, by striking "counties" and inserting "governing bodies that contract with another governing body of a PSAP for the provision of 911 services";

On page 7, in line 36, by striking "counties pursuant to this section" and inserting "governing bodies that contract with another governing body of a PSAP for the provision of 911 services"; in line 37, by striking all after "any"; in line 38, by striking all before "a" and inserting "governing body that contracts with another governing body of";

On page 8, in line 13, by striking "county's" and inserting "governing body's"; also in line 13, after "distribution" by inserting ", if any"; in line 19, by striking the first "county" and inserting "governing body"; also in line 19, by striking the second "county" and inserting "governing body of a PSAP"; in line 20, by striking "of a county's"; also in line 20, by striking "county" and inserting "governing body"; in line 21, by striking "county" and inserting "governing body"; also in line 21, by striking "counties" and inserting "governing bodies"; in line 24, by striking "approved" and inserting "reviewed"; also in line 24, after "council" by inserting "with respect to the provisions that relate to contingency plans and overflow arrangements or that may conflict with the function of the statewide 911 system. If the 911 coordinating council determines that any such provisions are not acceptable, the 911 coordinating council and the governing bodies shall collaborate and work to resolve such concerns"; in line 25, by striking "county" and inserting "governing body"; in line 26, by striking "county to have such other county provide all" and inserting "governing body of a PSAP for the provision of"; also in line 26, by striking "for"; in line 27, by striking all before "shall"; also in line 27, by striking "request" and inserting "establish in the contract or memorandum of agreement an agreed-upon percentage of the governing body's distribution amount for"; also in line 27, by striking all after "distribute"; by striking all in line 28; in line 29, by striking all before "services" and inserting "to the governing body of the PSAP that is providing the 911";

On page 9, in line 2, by striking "county" and inserting "governing body"; in line 3, after "with" by inserting "another governing body of"; in line 5, by striking "counties" and inserting "governing bodies"; in line 16, by striking "counties" and inserting "governing bodies"; in line 28, by striking "or"; in line 29, after "(H)" by inserting "maintenance and updates that are necessary to maintain accurate GIS data; or (I)";

Also on page 9, in line 37, by striking "county" and inserting "governing body"; in line 38, by striking "county" and inserting "governing body"; in line 40, by striking

"county" and inserting "governing body"; in line 42, by striking "county" and inserting "governing body";

On page 10, in line 6, by striking "county" and inserting "governing body that contracts with another governing body of a PSAP for the provision of 911 services"; in line 9, after the first "PSAP" by inserting "or governing body"; also in line 9, by striking "county's" and inserting "governing body's"; in line 10, by striking "county" and inserting "governing body"; in line 11, by striking "county" and inserting "governing body"; in line 13, by striking "county" and inserting "governing body"; in line 14, by striking "county" and inserting "governing body"; in line 16, by striking "county" and inserting "governing body that contracts with another governing body of a PSAP for the provision of 911 services"; in line 17, by striking "county" and inserting "governing body"; in line 19, by striking "county" and inserting "governing body"; in line 21, by striking "county" and inserting "governing body"; in line 26, by striking "county" and inserting "governing body"; in line 27, by striking "county" and inserting "governing body"; in line 42, by striking "counties" and inserting "governing bodies";

On page 1, in the title, in line 2, after "authorizing" by inserting "governing bodies of cities or"; also in line 2, by striking "other counties" and inserting "another governing body"; in line 4, by striking "counties" and inserting "governing bodies"; also in line 4, after the semicolon by inserting "exempting the legislative members appointed to the 911 coordinating council from certain term limitations that apply to members of the council;"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, March 5, 2024.

Journal of the Senate

THIRTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 5, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Pursuing God's Wisdom Over Human Wisdom
1 Corinthians 2:1-16, Proverbs 1: 7, James 1:5

Heavenly Father, we need wisdom to do an appropriate job when addressing life's concerns, and not the worldly human wisdom, as defined in the second chapter of 1 Corinthians. The difficulties we face require a wisdom that is higher than ours. Our issues are so complex that, as humans, the best we can do would equate to putting band aids on terminal problems.

Lord, we need Your wisdom, Your wisdom to address our concerns. And in Proverbs 1:7, we learn that the wisdom which comes from You is given to those who revere You. So Lord, by Your Holy Spirit, confront us and open our eyes to see how much You want us to look to You. Keep us mindful of Your promise

Lord, in James 1:5, if we just ask You for Your wisdom, You will graciously and liberally give it to us. Lord, I thank You that You don't leave us to try and figure things out on our own. I thank You for the counsel You provide and for how You guide us through the turmoil in Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 535, AN ACT concerning gaming; relating to certification of gaming suppliers by the Kansas racing and gaming commission; exempting certain suppliers from such certification requirements; amending K.S.A. 2023 Supp. 74-8751 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **HB 2543**, **HB 2608**.

Commerce: **HB 2790**.

Federal and State Affairs: **HB 2358**.

Judiciary: **SB 534**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 365, AN ACT concerning elections; prohibiting the use of remote ballot boxes; requiring the return of advance voting ballots by 7:00 p.m. on the day of the election; requiring the hand counting of ballots; prohibiting the use of electronic or electromechanical voting systems and electronic poll books; providing for the public reporting of vote counts during vote canvassing; requiring a provisional ballot when a voter's identification information does not match the voter's registration; requiring removal of duplicate voter registrations from voter registration lists; amending K.S.A. 25-1132, 25-3001 and 25-3006 and K.S.A. 2023 Supp. 25-2316c, 25-2908, 25-2912, 25-3107, 25-4402, 25-4403, 25-4404, 25-4405, 25-4407, 25-4408, 25-4411, 25-4414, 25-4415, 25-4610 and 25-4613 and repealing the existing sections, was considered on final action.

Upon the showing of five hands, a Call of the Senate was requested

On roll call, the vote was: Yeas 18; Nays 22; Present and Passing 0; Absent or Not Voting 0.

Yeas: Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson.

Nays: Alley, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Warren, Wilborn.

The Call was lifted.

A constitutional majority having failed to vote in favor of the bill, **SB 365** did not pass.

EXPLANATION OF VOTE

I vote "NO" on **Senate Bill 365**. Currently Election Days have a 7pm deadline for ballots to be submitted to the election officer whether by advance vote, mailing an advance ballot, dropping in a dropbox, or voting in person. The majority of ballots are counted on Election Day evening; additional time is needed for the canvassing board to verify provisional ballots and staff to check signatures on advance ballots that arrived by mail on Election Day. Eliminating remote drop boxes could increase reliance on U.S. Mail; eliminating the three-day grace period could mean some ballots mailed before the deadline might not be counted however does nothing to make reporting of the final results come any earlier. I think those three days can and should be used to make as many legitimate votes as possible count. The requirement to hand count ballots, added in an amendment, would make the process more complicated, likely less accurate, and add considerably more time to get preliminary results. Kansas has a process for auditing election machine counts in each county that has shown them to be accurate. Let's defend, not undermine, a system that is working well for our constituents.—MARCI FRANCISCO

Senators Holland and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Francisco on **SB 365**.

I vote "YES" on **SB 365** because election integrity is a bipartisan issue that strikes to the very heart of our nation and great state. The pursuit towards safe and secure elections never rests and never ends. That fact is the essence of how success is achieved

and held. Elections are not easy or convenient. The pursuit of election integrity is not easy or convenient but it is necessary.—MARK STEFFEN

Trust is earned. Everyday I strive to retain the trust of not only the Kansas voter, but also the Kansas taxpayer. Election integrity is of the utmost importance in retaining that trust. I vote aye on **SB 365**.—ALICIA STRAUB

I support the underlying bill that emerged from committee that would have restored the previous law regarding the deadline for advance ballots to be returned. It has been passed by this Senate before and I support it. However, yesterday, a 20-page amendment was added that made broad changes to election law that deserve extensive scrutiny via the legislative process. While I understand those items can be fixed, I have to vote on the bill before me. As it stands now, as someone who believes we must thoroughly examine the impact of the laws we pass, I must vote No on **SB 365**.—KELLIE WARREN

Senator Gossage requests the record to show she concurs with the "Explanation of Vote" offered by Senator Warren on **SB 365**.

REPORTS OF STANDING COMMITTEES

Your Committee on **Assessment and Taxation** begs leave to submit the following reports: The following appointments were referred to and considered by the committee, and your committee recommends that the Senate approve and consent to such appointments:

By the Governor:

Member, State Board of Tax Appeals: K.S.A. 74-2433

Devin Sprecker, to fill a term expiring on January 15, 2028

Member, State Board of Tax Appeals: K.S.A. 74-2433

Virginia Powell, to fill a term expiring on January 15, 2028

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, March 6, 2024.

Journal of the Senate

FORTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 6, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 40 senators present.

The President introduced guest chaplain, Charles McKinzie, Great Plains UMC, Winfield, who delivered the invocation:

Would you join me in an attitude of quiet prayer and reflection: Creator who made all matter, and the One who reminds us that we, too, matter, we give You thanks for the gift of wisdom and pray that You'll lead this body to use it.

Hear our prayers for the citizenry of this State, especially those who need help. For those who seek help but find that it is out of reach, may they find consolation in Your healing presence. For all who are blessed with health and security, may they work to fulfill the needs of those who are less secure. For leaders who make decisions that affect the health and well-being of others, may they strive to meet the needs of those on the margins of our society.

O Great Mystery, remind us that You have called across the ages for us to be the helpers, to be the healers. May our generation be the one who makes the table of love longer and wider, not the generation who makes the walls higher and the doors bolted tighter. For your wisdom and guidance we ask, O God. 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 536, AN ACT concerning taxation; relating to the local ad valorem tax reduction fund; requiring political subdivisions to adopt a budget that remains at or below revenue neutral and use funds to reduce property tax in order to receive fund distributions; amending K.S.A. 79-2960 and 79-2961 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 537, AN ACT concerning sales and compensating use tax; relating to city and countywide retailers' sales tax; providing countywide retailers' sales tax authority for Neosho county for purposes of roadway and bridge construction, maintenance and improvement; amending K.S.A. 2023 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Federal and State Affairs: **SB 535**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator O'Shea introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1744—

A RESOLUTION designating April 24 as Ad Astra STEM Day to celebrate scientific achievement across the state of Kansas.

WHEREAS, Kansas has a rich history of innovation, both on land and in the air, for growth and development in our state; and

WHEREAS, This legacy of excellence in science, technology, engineering and mathematics continues today; and

WHEREAS, Kansas is blessed with innovative businesses and industries, quality universities, dedicated educators and curious young minds that nurture the enrichment of knowledge, the economy, our quality of life and global competitiveness; and

WHEREAS, Kansas have and will continue to have a global impact in STEM development; and

WHEREAS, The state motto, "Ad Astra per Aspera," encourages us to celebrate our potential and is personified by astronaut Steve Hawley, who is a Kansas native and served as a mission specialist for the deployment of the Hubble Space Telescope after its launch from the Discovery space shuttle on April 24, 1990; Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we designate April 24 as Ad Astra STEM Day in Kansas to celebrate the scientific achievements and contributions made by Kansans across the state; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Jeanette Steinert, Jodi Spindler, Steve Durst and Senator O'Shea.

On emergency motion of Senator O'Shea **SR 1744** was adopted by voice vote..

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Order 24-01 (March 6, 2024)

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2648**.

Announcing passage of **SB 195**.

Also, announcing passage of **SB 307**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2648 was thereupon introduced and read by title.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointment submitted to the Senate for confirmation was considered:

Senator Alley moved the following appointment:

By the Governor

On the appointment to the:

State Board of Regents:

Jonathan Rolph, term ends June 30, 2027

On roll call, the vote was: Yeas 31; Nays 3; Present and Passing 6; Absent or Not Voting 0.

Yeas: Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kloos, Longbine, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Tyson, Ware, Wilborn.

Nays: Kerschen, Peck, Thompson.

Present and Passing: Alley, Claeys, Erickson, Gossage, Masterson, Warren.

The appointment was confirmed.

EXPLANATION OF VOTE

Most companies and organizations fail from within. Whether you are operating a restaurant business or a construction business. There are challenges in every business; from managing employees, cash flow, project completion, and customer satisfaction. I commend Jon Rolph for succeeding in an industry in which most fail. Eighty percent of restaurants fail within the first five years. Fifty percent of construction businesses fail within the first five years. Jon Rolph is to be commended for his outstanding skills in not just managing people, but in managing cash flow. I appreciate his contribution to the Kansas Board of Regents, and sharing his skills with our state universities and colleges. I vote aye in support of reconfirming Jon Rolph to the Kansas Board of Regents.—ALICIA STRAUB

Senators Holland, Olson, Pyle, Reddi and Sykes request the record to show they concur with the "Explanation of Vote" offered by Senator Straub on the appointment.

REPORTS OF STANDING COMMITTEES

The Committee on **Federal and State Affairs** recommends **SCR 1609** be adopted.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, March 7, 2024.

Journal of the Senate

FORTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 7, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 39 senators present.

Senator O'Shea was excused.

The President introduced guest chaplain, Doug Henkle, who delivered the invocation:

Father God, it is such a blessing to know You love us and care about every detail of our lives. Thank You for personally caring about those things that worry us and prey on our thoughts. It is reassuring to know that not a single nagging, aching, worrisome thought escapes Your notice. Thank You for caring about them even more than we do. It is so encouraging to know that we are Your personal concern and that we never disappear from Your radar screen.

Heavenly Father, You care about the debate that will occur on the floor of this chamber in the weeks ahead. I pray that You would cause a bond of common purpose, the welfare of the citizens of Kansas, to unite this body and that Your peace, which is far beyond our understanding, would be over the Kansas Senate today.

I lift up every Senator here to You. Give them wisdom to accurately discern the issues presented before them. Cause them to make decisions that would strengthen and prosper our state. Provide them with guidance in conducting their affairs honorably, ethically and with integrity. May their actions and decisions be right, just and pleasing to You. Father, bring to light the things they need to know so they may vote in line with Your plan, will and purpose.

I pray for President Masterson, Vice President Wilborn, Majority Leader Alley, and Minority Leader Sykes. Give them Your divine insight and direction as they lead this chamber. Father, I ask that at the end of the day the deliberations in the Kansas Senate would lead to sound decisions that would honor You and benefit the citizens of Kansas. In Jesus' Name, 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 538, AN ACT concerning elections; relating to municipal elections; establishing a commencement date for candidate nomination filings for such elected offices; amending K.S.A. 25-205 and 25-21a01 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 539, AN ACT concerning taxation; relating to income tax; modifying tax rates for individuals; increasing the Kansas standard deduction and the Kansas personal exemption; increasing the income limit to qualify for a subtraction modification for social security income; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2023 Supp. 79-201x, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, 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 536**, **SB 537**.

Commerce: **HB 2648**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator Sykes introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1745—

A RESOLUTION congratulating Goodwill of Western Missouri and Eastern Kansas on its 130th anniversary in 2024.

WHEREAS, The Helping Hand Institute was founded in Kansas City, Missouri, in 1894 to provide food, shelter and a work relief program for those who were homeless and without resources; and

WHEREAS, Goodwill Industries was founded in 1902 with the mission of collecting household goods to be repaired and sold to support the program and hiring and training individuals with disabilities and disadvantages; and

WHEREAS, The Goodwill Industries of Greater Kansas City opened its first repair shop in 1925 at St. Peter's Evangelical Church on Oak Street, where it impacted the community over several decades through employment skills training and vocational rehabilitation for persons with disabilities and other disadvantages; and

WHEREAS, The Helping Hand Institute and Goodwill Industries of Greater Kansas City merged in 1978 to form the Helping Hand of Goodwill Industries, which, in 2010, was changed to its present name Goodwill of Western Missouri and Eastern Kansas, otherwise known simply as Goodwill; and

WHEREAS, Today, Goodwill continues to be a nonprofit leader in the Kansas City region, providing resources and services to individuals who face barriers to obtaining employment, including one-on-one career navigation and employment services, wraparound services, digital skills training and digital navigation services, reentry services and occupational training within the Goodwill Artemis Institute courses such as the Bridge to Technology and Certified Manufacturing Associate; and

WHEREAS, Goodwill continues to support the community by directly employing nearly 700 people, offering janitorial services to government and commercial customers, and operating 17 donated goods retail stores and one outlet center, which

provide inexpensive household items and clothing for the community while at the same time diverting such items from landfills: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Goodwill of Western Missouri and Eastern Kansas on its 130th anniversary of empowering people and strengthening communities in Eastern Kansas; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senators Sykes.

On emergency motion of Senator Sykes **SR 1745** was adopted by voice vote.

MESSAGES FROM THE HOUSE

Announcing passage of **Sub HB 2676; HB 2665, HB 2749.**

Announcing passage of **SB 338**, as amended; **SB 339**, as amended; **SB 356**, as amended; **SB 398**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2665; Sub HB 2676; HB 2749 were thereupon introduced and read by title.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted to the Senate for confirmation were considered:

Senator Alley moved the following appointments:

By the Governor

On the appointment to the:

State Board of Tax Appeals:

Virginia Powell, Term ends January 15, 2028

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Erickson, O'Shea, Steffen, Ware.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Tax Appeals:

Devin Sprecker, Term ends January 15, 2028

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Erickson, O'Shea, Steffen, Ware.

The appointment was confirmed.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 338** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 339** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 356** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 398** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, March 8, 2024.

Journal of the Senate

FORTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 8, 2024, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 540, AN ACT concerning the federal 340B drug pricing program; imposing restrictions concerning the federal 340B drug pricing program; enacting the defense of affordable prescriptions act to prohibit manufacturer interference relating to a 340B drug. , by Committee on Assessment and Taxation.

SB 541, AN ACT creating the regulatory relief division within the office of the attorney general; establishing the general regulatory sandbox program within the office thereof; relating to administrative rules and regulations; authorizing the regulatory relief division to waive or suspend rules and regulations for program participants; amending K.S.A. 75-4319 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 539**.

Federal and State Affairs: **SB 538**.

Judiciary: **HB 2665**; **Sub HB 2676**.

Public Health and Welfare: **HB 2749**.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SR 1744, **SR 1745** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 8, 2024.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of March 4 through March 8, 2024:

Senator Baumgardner: extending official recognition to JG Scott for his dedicated service to the Kansas Legislature;

Senator Bowers: congratulating Jack and Kathie Crispin on receiving the 2023 Kansas Post Rock Limestone Coalition Preservation Award, congratulating Fred and Phyllis Larson and Bryan and Lacy Larson on receiving the 2023 KFB Cloud County

Farm Family of the Year Award, congratulating the Russell Senior Center on receiving the 2023 Russell Area Chamber of Commerce Customer Service Award, congratulating Dylan Riedel on receiving the 2023 Russell Area Chamber of Commerce Citizen of the Year Award, congratulating Russell Specialty Books and Gifts on receiving the 2023 Russell Area Chamber of Commerce Business of the Year Award, congratulating the Marsha Wentz Family on receiving the 2023 KFB Sesquicentennial Farm Award, congratulating Victoria (Hollerich) Smith on being named the 2022-23 USD 364 Teacher of the Year, congratulating Danae Buschkoetter on being a Society of Manufacturing Engineers 2023 “30 Under 30” Honoree, congratulating Amanda Horner on earning the designation of “Certified Municipal Clerk”;

Senator Dietrich: congratulating Joseph Luke on achieving the rank of Eagle Scout, congratulating Kale Palmberg on achieving the rank of Eagle Scout, congratulating Washburn Rural H.S. Four-Speaker Debate Team on its 2024 6A Debate Championship;

Senator Gossage: congratulating Aleksei Gemsky on achieving the rank of Eagle Scout;

Senator Pittman: extending official recognition to Theatre in Our Schools Day at the Capitol, extending official recognition to the Lansing H.S. Legacy Singers;

Senator Tyson: congratulating and commending Murle Mordy on his 50 years of service to Ottawa University; and

Senator Warren: congratulating Bre McGranahan on being named a 2024 Kansas Master Teacher.

On motion of Senator Fagg, the Senate adjourned until 2:30 p.m., Monday, March 11, 2024.

Journal of the Senate

FORTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 11, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 34 senators present.
Senators Baumgardner, Faust-Goudeau, Holscher, Pyle, Ryckman and Thompson were excused.

Invocation by Reverend Cecil T. Washington:

Psalm 33:12, 144:12-15, Matthew 6:9-13

Heavenly Father, Noah Webster, who hobnobbed with and inspired the Founding Fathers of this blessed nation, helped to unite us linguistically when he gave us the Noah Webster's Dictionary. And inspired by Your Holy Spirit, he also wanted to unite us as a blessed nation, spiritually.

For Your Word says in Psalm 33: 12, blessed and sacred is the nation who's God is the LORD. He is quoted as saying, "All miseries and evils which men suffer from vice, crime, ambition, injustice, oppression, slavery and war proceed from their despising or neglecting the precepts contained in the Bible."

And Lord, a description of the nation that is blessed by You is poetically given to us in the Scriptures of Psalm 144:12-15 "May our sons be like full-grown, young plants. May our daughters be like stately columns that adorn the corners of a palace. May our barns be filled with all kinds of crops. May our sheep give birth to thousands of lambs, tens of thousands in our fields. May our cattle have many calves. May no one break in and may no one be dragged out. May there be no cries of distress in our streets. Blessed are the people who have these blessings! Blessed are the people whose God is the LORD."

So Lord, please unify us under Your Almighty Hand, that we not succumb to ungodly ways. I ask You, as Jesus taught the disciples to ask You in Matthew 6:13, to "Deliver us from influences of the evil one." In His Name, I pray, 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 542, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2025; relating to the Kansas department for aging and disability services; creating a grant program to fund proposed homeless shelter infrastructure; establishing requirements for such grants to be awarded; creating the homeless shelter infrastructure

grant fund in the state treasury, by Committee on Ways and Means.

SB 543, AN ACT concerning state educational institutions; relating to diversity, equity and inclusion; prohibiting the endorsement of discriminatory ideologies, the usage of diversity, equity and inclusion statements and the provision of preferential consideration on the basis of such discriminatory ideologies; creating a right of action and providing penalties for violations thereof, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 541**.

Financial Institutions and Insurance: **SB 540**.

REPORTS OF STANDING COMMITTEES

Committee on **Local Government** recommends **HB 2661** be passed.

Also, **HB 2176**, As Amended by House Committee, be amended on page 5, in line 14, by striking ", required or collected" and inserting "for any subsequent calendar year"; in line 15, after the period by inserting "On such date, the Arkansas city public library shall cease to be a participating library in the south central Kansas library system. Such library district may submit a petition to join the south central Kansas library system as a participating library.";

On page 9, in line 28, by striking all after "imposed"; in line 29, by striking "collected" and inserting "for any subsequent calendar year"; also in line 29, after the period by inserting "On such date, the Udall public library shall cease to be a participating library in the south central Kansas library system. Such library district may submit a petition to join the south central Kansas library system as a participating library."; and the bill be passed as amended.

HB 2587 be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Ways and Means** recommends **SB 514** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 514," as follows:

"Substitute for SENATE BILL NO. 514

By Committee on Ways and Means

"AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 76-775, 76-7,107, 79-2959, 79-2964, 79-2989, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections.";

And the substitute bill be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, March 12, 2024.

Journal of the Senate

FORTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 12, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 37 senators present.
Senators Baumgardner, Ryckman and Thompson were excused.
Invocation by Reverend Cecil T. Washington:

Servants God Is Looking For and People Need
Psalm 25:4-5

Lord God, the Psalm writer, David, had it right when he penned the following Words. And in Your providence, You preserved these Words in the Divine Cannon of Scripture. Help us to internalize and memorialize them. Psalm 25:4-5, "Show me Your ways, O Lord; Teach me Your paths. Lead me in Your truth and teach me, for You are the God of my salvation. On You I wait all the day."

Lord, when You answer the requests of these two verses when we grasp Your ways, learn Your paths, and are led guided by Your truth, we will be the servant leaders You are looking for and that the people need.

Lord, I offer this prayer on behalf of Your will being replicated here on earth, here in these halls, here among us even as it is done in Heaven. In Jesus' Name, 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 544, AN ACT concerning postsecondary education; relating to scholarship programs; establishing the Kansas academic excellence scholarship program to replace the Kansas ethnic minority scholarship program; amending K.S.A. 74-3284, 74-3285, 74-3286, 74-3287, 74-3288 and 74-3289 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 545, AN ACT concerning sales taxation; relating to economic development; providing a sales tax exemption for the construction or remodeling of a qualified data center in Kansas and the purchase of data center equipment and eligible data center costs, electricity and certain labor costs to qualified firms that make a minimum investment of at least \$600,000,000 and meet new Kansas jobs and other requirements; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 546, AN ACT concerning taxation; relating to income tax; decreasing the corporate income tax rate; discontinuing income, premium and privilege tax credits of the high performance incentive program; repealing unused tax credits relating to abandoned well plugging, agritourism liability insurance, assistive technology contributions, declared disaster capital investment, environmental compliance, owners promoting employment across Kansas and swine facility improvement; relating to withholding tax; discontinuing benefits of the promoting employment across Kansas act; amending K.S.A. 65-7107, 74-50,132, 74-50,212 and 74-50,213 and K.S.A. 2023 Supp. 74-50,321, 79-32,110 and 79-32,160a and repealing the existing sections; also repealing K.S.A. 79-32,204, 79-32,207, 79-32,222, 79-32,262 and 79-32,266 and K.S.A. 2023 Supp. 32-1438, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committee as indicated:

Ways and Means: **SB 542**, **SB 543**.

MESSAGES FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **SB 338** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 339** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 356** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 398** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **HB 2036** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2036," as follows:

"Senate Substitute for HOUSE BILL NO. 2036

By Committee on Assessment and Taxation

"AN ACT concerning sales taxation; relating to exemptions; providing an exemption for certain purchases by disabled veterans of the armed forces of the United States.";

And the substitute bill be passed.

Also, **SB 94**, as recommended by the Senate Committee on Assessment and Taxation to be passed as reported in the Journal of the Senate on February 8, 2023, be amended on page 1, following line 7, by inserting:

"New Section 1. On July 1, 2024, the director of accounts and reports shall transfer all moneys in the local ad valorem tax reduction fund to the state general fund. On July 1, 2024, all liabilities of the local ad valorem tax reduction fund are hereby transferred to and imposed on the state general fund, and the local ad valorem tax reduction fund is

hereby abolished.

New Sec. 2. On July 1, 2024, the director of accounts and reports shall transfer all moneys in the county and city revenue sharing fund to the state general fund. On July 1, 2024, all liabilities of the county and city revenue sharing fund are hereby transferred to and imposed on the state general fund, and the county and city revenue sharing fund is hereby abolished.

Sec. 3. K.S.A. 65-163j is hereby amended to read as follows: 65-163j. (a) The dedicated source of revenue for repayment of a loan to a municipality may include service charges, connection fees, special assessments, property taxes, grants or any other source of revenue lawfully available to the municipality for such purpose. In order to ensure repayment by municipalities of the amounts of loans provided under this act, the secretary, after consultation with the governing body of any municipality ~~which that~~ receives a loan, may adopt charges to be levied against individuals and entities served by the project. Any such charges shall remain in effect until the total amount of the loan, and any interest thereon, has been repaid. The charges shall, insofar as is practicable, be equitably assessed and may be in the form of a surcharge to the existing charges of the municipality. The governing body of any municipality ~~which that~~ receives a loan under this act shall collect any charges established by the secretary and shall pay the moneys collected therefrom to the secretary in accordance with procedures established by the secretary.

~~(b) Upon the failure of a municipality to meet the repayment terms and conditions of the agreement, the secretary may order the treasurer of the county in which the municipality is located to pay to the secretary such portion of the municipality's share of the local ad valorem tax reduction fund as may be necessary to meet the terms of the agreement, notwithstanding the provisions of K.S.A. 79-2960 and 79-2961, and amendments thereto. Upon the issuance of such an order, the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961, and amendments thereto.~~

~~(e)~~ Municipalities ~~which that~~ are provided with loans under this act shall maintain project accounts in accordance with generally accepted government accounting standards.

~~(d)~~(c) Any loans received by a municipality under the provisions of this act shall be construed to be bonds for the purposes of K.S.A. 10-1116 and 79-5028, and amendments thereto, and the amount of such loans shall not be included within any limitation on the bonded indebtedness of the municipality.

Sec. 4. K.S.A. 65-3306 is hereby amended to read as follows: 65-3306. The secretary's annual request for appropriations to the water pollution control account shall be based on an estimate of the fiscal needs for the ensuing budget year, less any amounts received by the secretary from any public or private grants or contributions and moneys in such account shall be used solely for the purposes provided for by this act. Moneys allocated to a municipality shall be encumbered as an expenditure of this account upon the formal letting of a contract for the improvement notwithstanding the date ~~on which when~~ actual payment is made of the state financial assistance. Any municipality may contribute moneys to the state water pollution control account. If there are no uncommitted or unencumbered moneys in the water pollution control account, any municipality applying for any water pollution control project as defined in K.S.A. 65-3302, and amendments thereto, shall as a condition of such application

certify in writing to the secretary that a contribution in the amount of ~~twenty-five percent~~ (25%) of the eligible cost of such project will be made to the water pollution control account by such municipality prior to formal letting of a construction contract. Upon receipt by the secretary, each such contribution shall be retained in a subaccount of the water pollution control account for use solely in the project for which the municipality has made application.

~~Notwithstanding the provisions of K.S.A. 79-2960 and 79-2961, any municipality applying for such a water pollution control project may make such contribution from all or such part of its share of the local ad valorem tax reduction fund as may be necessary for such purpose, and to the extent such fund is pledged and used for such purpose the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961. Taxes levied by any municipality by reason of its failure to make such reduction in its levies shall not be subject to or be considered in computing the aggregate limitation upon the levy of taxes by such municipality under the provisions of K.S.A. 79-5003.~~

Sec. 5. K.S.A. 65-3327 is hereby amended to read as follows: 65-3327. (a) The dedicated source of revenue for repayment of the loans may include service charges, connection fees, special assessments, property taxes, grants or any other source of revenue lawfully available to the municipality for such purpose. In order to ensure repayment by municipalities of the amounts of loans provided under K.S.A. 65-3321 through 65-3329, and amendments thereto, the secretary, after consultation with the governing body of any municipality which receives a loan, may adopt charges to be levied against users of the project. Any such charges shall remain in effect until the total amount of the loan, and any interest thereon, has been repaid. The charges shall, insofar as is practicable, be equitably assessed and may be in the form of a surcharge to the existing charges of the municipality. The governing body of any municipality which receives a loan under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall collect any charges established by the secretary and shall pay the moneys collected therefrom to the secretary in accordance with procedures established by the secretary.

~~(b) Upon the failure of a municipality to meet the repayment terms and conditions of the agreement, the secretary may order the treasurer of the county in which the municipality is located to pay to the secretary such portion of the municipality's share of the local ad valorem tax reduction fund as may be necessary to meet the terms of the agreement, notwithstanding the provisions of K.S.A. 79-2960 and 79-2961 and amendments thereto. Upon the issuance of such an order, the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961 and amendments thereto.~~

~~(c) Municipalities which that~~ are provided with loans under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall maintain project accounts in accordance with generally accepted government accounting standards.

~~(d)(c)~~ Municipalities ~~which that~~ receive a grant and an allowance under the federal act with respect to project costs for which a loan was provided under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall promptly repay such loan to the extent of the allowance received under the federal act.

~~(e)(d)~~ Any loans received by a municipality under the provisions of K.S.A. 65-3321 through 65-3329, and amendments thereto, shall be construed to be bonds for the purposes of K.S.A. 10-1116 and 79-5028, and amendments thereto, and the amount of

such loans shall not be included within any limitation on the bonded indebtedness of the municipality.

Sec. 6. K.S.A. 2023 Supp. 74-8768 is hereby amended to read as follows: 74-8768.

(a) There is hereby created the expanded lottery act revenues fund in the state treasury. All expenditures and transfers from such fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be expended or transferred only for the purposes of reduction of state debt, state infrastructure improvements, the university engineering initiative act, ~~reduction of local ad valorem tax in the same manner as provided for allocation of amounts in the local ad valorem tax reduction fund~~ and reduction of the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, by the Kansas public employees retirement system.

(b) On July 1, 2021, July 1, 2022, July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, July 1, 2027, July 1, 2028, July 1, 2029, July 1, 2030, and July 1, 2031, or as soon thereafter such date as moneys are available, the first \$10,500,000 credited to the expanded lottery act revenues fund shall be transferred by the director of accounts and reports from the expanded lottery act revenues fund in one or more substantially equal amounts, to each of the following: The Kan-grow engineering fund – KU, Kan-grow engineering fund – KSU and Kan-grow engineering fund – WSU. Each such special revenue fund shall receive \$3,500,000 annually in each of such years. Commencing in fiscal year 2014, after such transfer has been made, 50% of the remaining moneys credited to the fund shall be transferred on a quarterly basis by the director of accounts and reports from the fund to the Kansas public employees retirement system fund to be applied to reduce the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931 et seq., and amendments thereto, until the system as a whole attains an 80% funding ratio as certified by the board of trustees of the Kansas public employees retirement system.

Sec. 7. K.S.A. 75-2556 is hereby amended to read as follows: 75-2556. (a) The state librarian shall determine the amount of the grant-in-aid each eligible local public library is to receive based on the latest population census figures as certified by the division of the budget.

(b) Except as provided by subsection (d), no local public library shall be eligible for any state grants-in-aid if the total amount of the following paragraphs is less than the total amount produced from such sources for the same library for the previous year, based on the information contained in the official annual budgets of municipalities that are filed with the division of accounts and reports in accordance with K.S.A. 79-2930, and amendments thereto:

(1) The amount produced by the local ad valorem tax levies for the current year expenses for such library;

~~(2) the amount of moneys received from the local ad valorem tax reduction fund for current year expenses for such library;~~

~~(3) the amount of moneys received from taxes levied upon motor vehicles under the provisions of K.S.A. 79-5101 et seq., and amendments thereto, for current year expenses for such library; and~~

~~(4)~~(3) the amount of moneys received in the current year from collections of unpaid local ad valorem tax levies for prior year expenses for such library.

(c) Local public library districts in which the assessed valuation decreases shall

remain eligible for state grants-in-aid so long as the ad valorem tax mill rate for the support of such library has not been reduced below the mill rate imposed for such purpose for the previous year.

(d) If a local public library fails to qualify for eligibility for any state grants-in-aid under subsection (b), the state librarian shall have the power to continue the eligibility of a local public library for any state grants-in-aid if the state librarian, after evaluation of all the circumstances, determines that the legislative intent for maintenance of local tax levy support for the on-going operations of the library is being met by the library district.

(e) The distribution so determined shall be apportioned and paid on February 15 of each year.:"

Also on page 1, in line 10, by striking "2023" and inserting "2024";

On page 2, in line 16, by striking "2024" and inserting "2025"; in line 19, by striking "2025" and inserting "2026"; in line 26, by striking "2023" and inserting "2024";

On page 4, in line 41, by striking "2024" and inserting "2025";

On page 5, in line 1, by striking "2025" and inserting "2026"; in line 18, by striking "2023" and inserting "2003"; in line 42, by striking "2024" and inserting "2025"; following line 42, by inserting:

"Sec. 13. K.S.A. 79-1479 is hereby amended to read as follows: 79-1479. (a) On or before January 15, 1992, and quarterly thereafter, the county or district appraiser shall submit to the director of property valuation a progress report indicating actions taken during the preceding quarter calendar year to implement the appraisal of property in the county or district. Whenever the director of property valuation shall determine that any county has failed, neglected or refused to properly provide for the appraisal of property or the updating of the appraisals on an annual basis in substantial compliance with the provisions of law and the guidelines and timetables prescribed by the director, the director shall file with the state board of tax appeals a complaint stating the facts upon which the director has made the determination of noncompliance as provided by K.S.A. 79-1413a, and amendments thereto. If, as a result of such proceeding, the state board of tax appeals finds that the county is not in substantial compliance with the provisions of law and the guidelines and timetables of the director of property valuation providing for the appraisal of all property in the county or the updating of the appraisals on an annual basis, it shall order the immediate assumption of the duties of the office of county appraiser by the director of the division of property valuation until such time as the director of property valuation determines that the county is in substantial compliance with the provisions of law. ~~In addition, the board shall order the state treasurer to withhold all or a portion of the county's entitlement to moneys from either or both of the local ad valorem tax reduction fund and the city and county revenue sharing fund for the year following the year in which the order is issued.~~ Upon service of any such order on the board of county commissioners, the appraiser shall immediately deliver to the director of property valuation, or the director's designee, all books, records and papers pertaining to the appraiser's office.

Any county for which the director of the division of property valuation is ordered by the state board of tax appeals to assume the responsibility and duties of the office of county appraiser shall reimburse the state for the actual costs incurred by the director of the division of property valuation in the assumption and carrying out of such responsibility and duties, including any contracting costs in the event it is necessary for

the director of property valuation to contract with private appraisal firms to carry out such responsibilities and duties.

(b) On or before June 1 of each year, the director of property valuation shall review the appraisal of property in each county or district to determine if property within the county or district is being appraised or valued in accordance with the requirements of law. If the director determines the property in any county or district is not being appraised in accordance with the requirements of law, the director of property valuation shall notify the county or district appraiser and the board of county commissioners of any county or counties affected that the county has 30 days within which to submit to the director a plan for bringing the appraisal of property within the county into compliance.

If a plan is submitted and approved by the director the county or district shall proceed to implement the plan as submitted. The director shall continue to monitor the program to insure that the plan is implemented as submitted. If no plan is submitted or if the director does not approve the plan, the director shall petition the state board of tax appeals for a review of the plan or, if no plan is submitted, for authority for the division of property valuation to assume control of the appraisal program of the county and to proceed to bring the same into compliance with the requirements of law.

If the state board of tax appeals approves the plan, the county or district appraiser shall proceed to implement the plan as submitted. If no plan has been submitted or the plan submitted is not approved, the board shall fix a time within which the county may submit a plan or an amended plan for approval. If no plan is submitted and approved within the time prescribed by the board, the board shall order the division of property valuation to assume control of the appraisal program of the county ~~and shall certify its order to the state treasurer who shall withhold distributions of the county's share of moneys from the county and city revenue sharing fund and the local ad valorem tax reduction fund and credit the same to the general fund of the state for the year following the year in which the board's order is made.~~ The director of property valuation shall certify the amount of the cost incurred by the division in bringing the program in compliance to the state board of tax appeals. The board shall order the county commissioners to reimburse the state for such costs.

(c) The state board of tax appeals shall within 60 days after the publication of the Kansas assessment/sales ratio study review such publication to determine county compliance with K.S.A. 79-1439, and amendments thereto. If in the determination of the board one or more counties are not in substantial compliance and the director of property valuation has not acted under subsection (b), the board shall order the director of property valuation to take such corrective action as is necessary or to show cause for noncompliance.";

Also on page 5, in line 43, after "K.S.A." by inserting "19-2694, 65-163j, 65-3306, 65-3327, 75-2556,"; also in line 43, by striking "and" and inserting a comma; also in line 43, after "76-6b11" by inserting ", 79-1479, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 74-8768, 79-2959, 79-2964 and 79-3425i";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "property"; also in line 1, by striking "relating to tax levies;"; in line 2, after "state" by inserting "property"; in line 4, after the semicolon by inserting "eliminating the local ad valorem tax reduction fund and the

county and city revenue sharing fund and discontinuing certain transfers to the special city and county highway fund;"; also in line 4, after "K.S.A." by inserting "65-163j, 65-3306, 65-3327, 75-2556,"; in line 5, by striking the first "and" and inserting a comma; also in line 5, after "76-6b11" by inserting "and 79-1479 and K.S.A. 2023 Supp. 74-8768"; also in line 5, after "sections" by inserting ";"; also repealing K.S.A. 19-2694, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 79-2959, 79-2964 and 79-3425i"; and the bill be passed as amended.

SB 509 be amended on page 1, in line 19, after "(b)" by inserting "For tax year 2024, the total amount of credits allowed under this section shall not exceed \$75,000,000. For tax year 2025, and each tax year thereafter, the maximum total amount of credits allowed under this section shall be the same amount as the prior tax year, except that for any tax year when the annual tax credit amount that was used for the prior tax year was equal to or greater than 90% of the maximum total amount of credits allowed for such prior tax year, the maximum total amount of credits shall increase by 25%. The department of revenue shall publish on its website information identifying such increases in the maximum total amount of tax credits.

(c)";

Also on page 1, following line 25 by inserting:

"(e) A taxpayer shall not be eligible to claim the education opportunity tax credit for a dependent child for a tax year in which such dependent child received a scholarship pursuant to the tax credit for low income students scholarship program act, K.S.A. 72-4351 et seq., and amendments thereto.";

On page 2, in line 5, after the first "the" by inserting "public school"; in line 15, after the period by inserting "Any person who receives the education opportunity tax credit and does not send their child to a private school as described in subsection (a) shall be subject to a civil penalty in an amount computed in the manner prescribed in K.S.A. 79-3228, and amendments thereto."

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2561** be passed.

Committee on **Local Government** recommends **SB 510** be amended on page 2, in line 9, by striking "10" and inserting "30"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2682** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SB 195 reported correctly enrolled, properly signed and presented to the Governor on March 12, 2024.

On motion of Senator Alley, the Senate adjourned until 1:00 p.m., Wednesday, March 13, 2024.

Journal of the Senate

FORTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 13, 2024, 1:00 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 38 senators present.
Senators Baumgardner and Thompson were excused.
Invocation by Reverend Cecil T. Washington:

Key To Answered Prayers
Psalm 66:18, Proverbs 28:9, 1 John 3:22

Heavenly Father, we come to You today praying for Your blessings. But Lord, we don't want to be guilty of presumption just taking it for granted that You'll hear and give a positive response.

You said in Psalm 66:18, if we know that some ungodliness is in our heart, if we know it's there and do nothing about it You would not hear us. You further told us in Proverbs 28:9, that if anyone turned a deaf ear to Your Word, their prayers would not be accepted by You. So Lord, You're saying if we turn a deaf ear to You, we'll be facing the dreadful problem of You turning a deaf ear to us. God, that's surely not the position we want to be in.

So Lord, by Your Holy Spirit, open our eyes to where repentance is needed so we can be the servant leaders You would have us to be, so we can be in harmony with that which pleases You and blesses the people. In fact, You told us in 1 John 3:22, the prayers that get heard are to come from people who have determined to listen to You with a heart of obedience to do what pleases You.

So Lord, we're going to have a moment of silence right now for You to speak to each of us individually. And Lord, during the quietness of the next few moments, let us hear Your still, small voice on the inside. Confront us and convict us now of any unruly attitudes and actions. For You said in 1 John 1:9, that if we confess our sins You'd be faithful and just to forgive and cleanse us.

I thank You now Lord, for Your mercy and grace. Let us now be about blessing You and those You've called us to serve. I offer this prayer in the precious Name of Jesus, 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 547, AN ACT concerning agriculture; relating to the Kansas pet animal act; updating provisions for operating an animal shelter or pound; making changes to certain defined terms; modifying authority pertaining to refusal to issue or renew and the modification, limitation, suspension or revocation of any license or permit; providing for making immediate actions to protect the public interest; requiring the posting of a cash or security bond to pay for the costs of caring for a seized or impounded pet animal; requiring certain licensees that cease to engage in licensed activity to notify the commissioner at least 10 days prior to ceasing business, or if extenuating circumstances exist, not later than the date such activity ceases; requiring a closing inspection to confirm licensed activity has ceased prior to expiration of the license period; requiring certain additional rules and regulations; increasing the maximum amount of certain fees; clarifying the conditions required for a licensed veterinarian to act as or be a boarding or training kennel operator; changing the date during which a licensee or permit holder that is in the process of ceasing to do business may be issued a temporary closing permit; amending K.S.A. 47-1701, 47-1704, 47-1706, 47-1706a, 47-1707, 47-1709, 47-1712, 47-1715, 47-1721, 47-1723 and 47-1732 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 548, AN ACT concerning firearms; relating to the personal and family protection act; requiring a concealed carry license to lawfully carry a concealed handgun; providing permanent exemptions for postsecondary educational institutions from the public buildings requirements; amending K.S.A. 21-5914, 21-6301, 21-6302, 21-6308, 21-6309, 32-1002, 75-7c10, 75-7c17 and 75-7c20 and K.S.A. 2023 Supp. 75-7c02, 75-7c03, 75-7c04, 75-7c05, 75-7c08 and 75-7c21 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 549, AN ACT concerning firearms; relating to the purchase or transfer thereof; requiring criminal history record checks for such purchases and transfers; providing criminal penalties for violations, by Committee on Federal and State Affairs.

SB 550, AN ACT concerning firearms; relating to criminal possession or use of certain firearms; prohibiting persons under 21 years of age from purchasing and possessing semiautomatic rifles with high capacity ammunition magazines; amending K.S.A. 21-6301 and 21-6302 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 551, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of unlawful storage of a firearm; providing criminal penalties for violations thereof, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 545**, **SB 546**.

Education: **SB 544**.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2527**.

Announcing passage of **SB 233**, as amended by **H Sub SB 233**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2527 was thereupon introduced and read by title.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Longbine in the chair.

On motion of Senator Longbine the following summary report was adopted:

Sub SB 514 be passed by adoption of the committee report recommending a substitute bill and as amended by Committee of the Whole.

SB 500 be passed as amended by the adoption of the committee report.

COMMITTEE OF THE WHOLE ACTIONS

SB 500 be amended by the adoption of the committee amendments.

SB 514 be amended by the adoption of the committee report on **SB 514** recommending **Sub SB 514** be adopted, be amended by motion of Senator Tyson; on page 76, in line 28, by subtracting \$10,000 from the dollar amount and by adjusting the dollar amount in line 28 accordingly;

On page 77, in line 4, by subtracting \$10,000 from the dollar amount and by adjusting the dollar amount in line 4 accordingly; in line 10, by subtracting \$10,000 from the dollar amount and by adjusting the dollar amount in line 10 accordingly; in line 22, by subtracting \$10,000 from the dollar amount and by adjusting the dollar amount in line 22 accordingly; in line 27, by subtracting \$10,000 from the dollar amount and by adjusting the dollar amount in line 27 accordingly;

On page 238, following line 25, by inserting:

"(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:
Capitol police operating expenditures..... \$10,000

Provided, That expenditures shall be made from the capitol police operating expenditures account to provide a 2.5% salary increase for part-time capitol police officers.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

Sub SB 514 be further amended by motion of Senator Steffen; on page 43, following line 21, by inserting:

"(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:
Hardtner natural gas line..... \$1,500,000

Provided, That expenditures shall be made from the Hardtner natural gas line account for a grant to the city of Hardtner, Kansas, to: (1) Design, construct and install a new natural gas distribution line that connects to a natural gas service provider and the infrastructure for such line to provide a reliable long-term natural gas source to supply the entire city of Hardtner, Kansas; or (2) remediate the loss of a natural gas supply for such city in lieu of a new natural gas line.";

And by redesignating subsections accordingly;

On page 115, in line 41, by subtracting \$1,500,000 from the dollar amount and by

adjusting the dollar amount in line 41 accordingly

Sub SB 514 be further amended by motion of Senator Olson; on page 46, following line 38, by inserting:

"(g) During the fiscal year ending June 30, 2025, in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to include the name of each entity receiving a discount from tariffed rates authorized by K.S.A. 2023 Supp. 66-101i and 66-101j, and amendments thereto, in the agency's status report required by K.S.A. 2023 Supp. 66-101i and 66-101j(g), and amendments thereto."

Sub SB 514 be further amended by motion of Senator Pyle; on page 11, following line 32, by inserting:

"(d) Notwithstanding the provisions of K.S.A. 46-137a, 46-137b and 46-137e, and amendments thereto, any other statute, or the provisions of the order of the legislative compensation commission dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, pursuant to K.S.A. 2023 Supp. 46-3102, and amendments thereto, during the fiscal year ending June 30, 2025, no moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, shall be expended by the above agency for fiscal year 2025 to increase the rate of compensation and salary for members of the legislature set by the legislative compensation commission in the commission's order dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, unless the legislature expressly consents to such rate of compensation and salary increase by the adoption of a concurrent resolution during the 2024 regular legislative session.

Sec. 27.

LEGISLATURE

(a) Notwithstanding the provisions of K.S.A. 46-137a, 46-137b and 46-137e, and amendments thereto, any other statute, or the provisions of the order of the legislative compensation commission dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, pursuant to K.S.A. 2023 Supp. 46-3102, and amendments thereto, during the fiscal year ending June 30, 2026, no moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2026, as authorized by this or other appropriation act of the 2024 or 2025 regular session of the legislature, shall be expended by the above agency for fiscal year 2026 to increase the rate of compensation and salary for members of the legislature set by the legislative compensation commission in the commission's order dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, unless the legislature expressly consents to such rate of compensation and salary increase by the adoption of a concurrent resolution during the 2025 regular legislative session.";

And by renumbering sections accordingly

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 20; Nays 8; Present and Passing 9; Absent or Not Voting 3.

Yeas: Blasi, Bowers, Claeys, Dietrich, Doll, Fagg, Francisco, Gossage, Kerschen, Kloos, McGinn, Olson, Petersen, Pittman, Pyle, Shallenburger, Steffen, Straub, Tyson, Warren.

Nays: Alley, Haley, O'Shea, Peck, Pettey, Sykes, Ware, Wilborn.

Present and Passing: Billinger, Corson, Erickson, Faust-Goudeau, Holland, Longbine, Masterson, Reddi, Ryckman.

Absent or Not Voting: Baumgardner, Holscher, Thompson.

Sub SB 514 be further amended by motion of Senator Tyson; on page 288, following line 24, by inserting:

"Sec. 155. (a) In addition to other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2024 or 2025 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2026 as authorized by this or other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2026 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2026.

(b) During the fiscal year ending June 30, 2026, no state agency named in this or other appropriation act of the 2024 or 2025 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2026 as authorized by this or other appropriation act of the 2024 or 2025 regular session of the legislature for such state agency to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(c) In addition to other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2024, 2025 or 2026 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2027 as authorized by this or other appropriation act of the 2024, 2025 or 2026 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency

from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2027 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2027.

(d) During the fiscal year ending June 30, 2027, no state agency named in this or other appropriation act of the 2024, 2025 or 2026 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2027 as authorized by this or other appropriation act of the 2024, 2025 or 2026 regular session of the legislature for such state agency to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(e) In addition to other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2024, 2025, 2026 or 2027 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2028 as authorized by this or other appropriation act of the 2024, 2025, 2026 or 2027 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2028 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2028.

(f) During the fiscal year ending June 30, 2028, no state agency named in this or other appropriation act of the 2024, 2025, 2026 or 2027 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2028 as authorized by this or other appropriation act of the 2024, 2025, 2026 or 2027 regular session of the legislature for such state agency to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that

such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(g) As used in this section:

(1) "Employee" means any person who performs employment services for an employer pursuant to an employment relationship between the employee and the employer.

(2) "Employer" means any individual or type of organization that transacts business in this state and employs one or more individuals who perform employment services in this state.

(3) "E-verify" means an electronic system jointly administered by the United States department of homeland security and the social security administration or its successor program, pursuant to 8 U.S.C. § 1324a, that is used to verify the employment authorization of employees.";

And by renumbering sections accordingly

Senator Doll motioned to further amend **Sub SB 514**. A ruling of the Chair was requested as to the germaneness of the amendment to the bill. The Chair ruled the amendment was germane to the bill and the following amendment was adopted; on page 21, following line 6, by inserting:

"(g) (1) During the fiscal year ending June 30, 2025, notwithstanding the provisions of Kansas consumer protection act, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2025 to enforce the provisions of the Kansas consumer protection act against a manufacturer that engages in the following actions:

(A) Deny, restrict, prohibit or otherwise interfere with the acquisition of a 340B drug by or delivery of a 340B drug to a pharmacy that is under contract with a 340B-covered entity and authorized under such contract to receive and dispense 340B drugs on behalf of the 340B-covered entity, unless such receipt and dispensing of 340B drugs by such pharmacy is prohibited by the United States department of health and human services; or

(B) interfere with a pharmacy that has a contract with a 340B-covered entity.

(2) As used in this subsection:

(A) "340B-covered entity" means an entity that is participating in the federal 340B drug pricing program authorized by 42 U.S.C. § 256b, including such entity's pharmacy or pharmacies, or any pharmacy or pharmacies contracted for the purpose of dispensing drugs purchased through such program;

(B) "340B drug" means a drug that has been subject to any offer for reduced prices by a manufacturer pursuant to the federal 340B drug pricing program authorized by 42 U.S.C. § 256b and is purchased by a covered entity;

(C) "manufacturer" means the same as defined in K.S.A. 65-1626, and amendments thereto; and

(D) "pharmacy" means the same as defined in K.S.A. 65-1626, and amendments thereto.

Sec. 33.

ATTORNEY GENERAL

(a) (1) During the fiscal year ending June 30, 2026, notwithstanding the provisions of Kansas consumer protection act, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2026 by this or any other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2026 to enforce the provisions of the Kansas consumer protection act against a manufacturer that engages in the following actions:

(A) Deny, restrict, prohibit or otherwise interfere with the acquisition of a 340B drug by or delivery of a 340B drug to a pharmacy that is under contract with a 340B-covered entity and authorized under such contract to receive and dispense 340B drugs on behalf of the 340B-covered entity, unless such receipt and dispensing of 340B drugs by such pharmacy is prohibited by the United States department of health and human services; or

(B) interfere with a pharmacy that has a contract with a 340B-covered entity.

(2) As used in this subsection:

(A) "340B-covered entity" means an entity that is participating in the federal 340B drug pricing program authorized by 42 U.S.C. § 256b, including such entity's pharmacy or pharmacies, or any pharmacy or pharmacies contracted for the purpose of dispensing drugs purchased through such program;

(B) "340B drug" means a drug that has been subject to any offer for reduced prices by a manufacturer pursuant to the federal 340B drug pricing program authorized by 42 U.S.C. § 256b and is purchased by a covered entity;

(C) "manufacturer" means the same as defined in K.S.A. 65-1626, and amendments thereto; and

(D) "pharmacy" means the same as defined in K.S.A. 65-1626, and amendments thereto.";

And by renumbering sections accordingly

Sub SB 514 be further amended by motion of Senator Blasi; on page 146, following line 1, by inserting:

"(aa) During the fiscal year ending June 30, 2025, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2025 as authorized by this or other appropriation act of the 2024 regular session of the legislature, to make any changes to targeted case management services for persons with intellectual or developmental disabilities unless the legislature expressly consents to, and approves of, such changes by an act or appropriation act of the legislature.";

Sub SB 514 be further amended by motion of Senator Francisco; on page 129, by striking all in lines 27 through 33;

On page 288, following line 40, by inserting:

"Debt service refunding – 2020S (173-00-1000-8564).....\$4,000,000

Provided, That during the fiscal year ending June 30, 2025, expenditures shall be made from the debt service refunding – 2020S account by the above agency, in consultation with the Kansas development finance authority, solely for the purpose of paying the costs, including transaction costs, of prepaying, redeeming, defeasing or purchasing, on the open market or through a tender offer or other transaction, some or all of the outstanding maturities of the Kansas development finance authority taxable refunding revenue bonds (state of Kansas projects), series 2020S: *Provided further*; That all such transactions shall be on the terms of and pursuant to all necessary and appropriate agreements by, between or among the above agency, the Kansas development finance authority and such other agencies or parties as deemed necessary by the above agency or the Kansas development finance authority to complete such transactions: *And provided further*; That any 2020S bonds that are purchased on the open market or through a tender offer or other transaction shall promptly be retired."

A motion by Senator Olson to further amend **Sub SB 514** failed and the following amendment was rejected.; on page 11, following line 32, by inserting:

"(d) Notwithstanding the provisions of K.S.A. 46-137a, 46-137b, 46-137e, and amendments thereto, any other statute, or the provisions of the order of the legislative compensation commission dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, pursuant to K.S.A. 2023 Supp. 46-3102, and amendments thereto, during the fiscal year ending June 30, 2025, no moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, shall be expended by the above agency for fiscal year 2025 to increase the rate of compensation and salary for members of the legislature set by the legislative compensation commission in the commission's order dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024: *Provided, however*; That in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2025 commencing on the first day of the legislative session in January of 2025 for each member of the legislature to receive the sum of \$150 per calendar day for service at any regular or special session of the legislature and an allowance of \$604.15 for the two-week period that coincides with the biweekly payroll period that includes April 1 and for each of the 19 ensuing two-week periods thereafter, to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses.

Sec. 27.

LEGISLATURE

(a) Notwithstanding the provisions of K.S.A. 46-137a, 46-137b, 46-137e, and amendments thereto, any other statute, or the provisions of the order of the legislative compensation commission dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024, pursuant to K.S.A. 2023 Supp. 46-3102, and amendments thereto, during the fiscal year ending June 30, 2026, no moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2026, as authorized by this or

other appropriation act of the 2024 or 2025 regular session of the legislature, shall be expended by the above agency for fiscal year 2026 to increase the rate of compensation and salary for members of the legislature set by the legislative compensation commission in the commission's order dated October 19, 2023, and published in the journal of the senate and the journal of the house of representatives on January 8, 2024: *Provided, however,* That in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2026, as authorized by this or other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2026 commencing on the first day of the legislative session in January of 2026 for each member of the legislature to receive the sum of \$150 per calendar day for service at any regular or special session of the legislature and an allowance of \$604.15 for the two-week period that coincides with the biweekly payroll period that includes April 1 and for each of the 19 ensuing two-week periods thereafter to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses.";

And by renumbering sections accordingly

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 14; Nays 19; Present and Passing 5; Absent or Not Voting 2.

Yeas: Billinger, Blasi, Bowers, Dietrich, Doll, Fagg, Francisco, Kerschen, Kloos, Olson, Shallenburger, Steffen, Straub, Tyson.

Nays: Alley, Corson, Erickson, Faust-Goudeau, Gossage, Haley, Holscher, Longbine, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Sykes, Ware, Warren, Wilborn.

Present and Passing: Claeys, Holland, Masterson, Reddi, Ryckman.

Absent or Not Voting: Baumgardner, Thompson.

EXPLANATION OF VOTE

I voted for the amendment to blunt the exorbitant pay raise for legislators provided in the budget. The process that took us to the huge pay raise was a premeditated plan to provide cover for legislators to receive a pay raise out of sight of the average taxpayer. I do not believe this at-large committee was neutral in any way, shape or form. Furthermore, the legislature is where you bring your life experiences not get them.—

MARK STEFFEN

Senator Straub requests the record to show she concurs with the "Explanation of Vote" offered by Senator Steffen on **Sub SB 514**.

I have not heard from constituents, clamoring for citizen legislators to get any increase in pay. Because the amendment would still provide a substantial pay raise, I vote No.—Kellie Warren

A motion by Senator Holscher to further amend **Sub SB 514** failed and the following amendment was rejected; on page 162, following line 3, by inserting:

"(n) During the fiscal year ending June 30, 2025, in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 as authorized by this or any other appropriation act of the 2024 regular session of the

legislature, expenditures shall be made by the above agency from such moneys to require a nonpublic school that receives state moneys to comply with K.S.A. 2023 Supp. 72-5178, and amendments thereto: *Provided*, That as used in this section, "nonpublic school" means an accredited or nonaccredited private elementary or secondary school: *Provided, however*; That "nonpublic school" does not include a home school or home school organization, community consortium or group."

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 12; Nays 21; Present and Passing 3; Absent or Not Voting 4.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Tyson, Warren, Wilborn.

Present and Passing: Billinger, Dietrich, Longbine.

Absent or Not Voting: Baumgardner, McGinn, Olson, Thompson.

A motion by Senator Doll to further amend **Sub SB 514** failed and the following amendment was rejected; on page 76, by striking all in lines 4 through 11;

On page 112, in line 7, by subtracting \$31,936,813 from the dollar amount and by adjusting the dollar amount in line 7 accordingly;

On page 156, following line 8, by inserting:

"Special education services aid (652-00-1000-0700)..... \$76,436,813";

On page 299, by striking all in lines 14 through 17;

And by redesignating subsections accordingly;

On page 313, by striking all in line 42

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 12; Nays 19; Present and Passing 5; Absent or Not Voting 4.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pittman, Sykes, Ware.

Nays: Alley, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Masterson, McGinn, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Tyson, Wilborn.

Present and Passing: Billinger, Dietrich, Kloos, Longbine, Reddi.

Absent or Not Voting: Baumgardner, Blasi, Thompson, Warren.

A motion by Senator Steffen to further amend **Sub SB 514** failed.

A motion by Senator Tyson to further amend **Sub SB 514** failed.

A motion by Senator Straub to further amend **Sub SB 514** failed.

A motion by Senator Holland to further amend **Sub SB 514** failed.

A motion by Senator Pettey to further amend **Sub SB 514** failed and the following amendment was rejected; on page 156, following line 8, by inserting:

"Childcare accelerator grants..... \$15,716,000

Provided, That all expenditures from the childcare accelerator grants account shall require a match of nonstate local or private moneys on the basis of \$4 of state moneys to \$1 of nonstate moneys.";

On page 228, by striking all in lines 24 through 36;

On page 229, by striking all in lines 41 through 43

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 13; Nays 23; Present and Passing 2; Absent or Not Voting 2.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, O'Shea, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Tyson, Warren, Wilborn.

Present and Passing: Billinger, Olson.

Absent or Not Voting: Baumgardner, Thompson.

CHANGE OF REFERENCE

An objection having been made to **HB 2682** appearing on the **Consent Calendar**, the President directed the bill be removed and placed on the calendar under the heading of **General Orders**.

The President withdrew **SB 545** from the Committee on **Assessment and Taxation**, and referred the bill to the Committee on **Commerce**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 311**, as recommended by the Senate Committee on Assessment and Taxation to be passed as reported in the Journal of the Senate on March 24, 2023, be amended on page 2, in line 18, after "exchange" by inserting ", a build-to-suit transaction or any sale-leaseback arrangement"; in line 20, after "exchange" by inserting ", build-to-suit and sale-leaseback arrangement";

On page 1, in the title, in line 2, after "exchange" by inserting ", build-to-suit and sale-leaseback arrangement"; and the bill be passed as amended.

Also, **SB 468** be amended on page 5, in line 27, by striking ": (1)"; in line 28, by striking "(A)" and inserting "(1)"; in line 29, by striking "(B)" and inserting "(2)"; in line 31, by striking all after "bonds"; by striking all in lines 32 through 35; in line 36, by striking all before the period; in line 37, by striking all after "exemption"; in line 40, by striking ", an" and inserting "or"; also in line 40, by striking all after "exemption"; in line 41, by striking "financing";

On page 1, in the title, in line 3, by striking "or tax increment financing"; and the bill be passed as amended.

SB 498 be amended on page 3, by striking all in lines 31 through 43;

On page 4, by striking all in lines 1 through 39;

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking "establishing a child tax credit;"; and the bill be passed as amended.

SB 539 be amended on page 4, in line 42, after "income" by inserting "for";

On page 13, in line 4, by striking all after "taxpayer"; by striking all in lines 5 through 22; in line 23, by striking all before the period;

By striking all on pages 17 through 26;

On page 27, by striking all in lines 1 and 2; in line 4, by striking the comma after "79-32,119" and inserting "and"; also in line 4, by striking all after "79-32,121"; in line 5, by striking all before "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "increasing the income limit to qualify for a" and inserting "eliminating the income limitation to receive the"; in line 4, by striking "for" and inserting "exempting"; also in line 4, by striking "income" and inserting "benefits"; in line 7, by striking all after the first semicolon; by striking all in lines 8 and 9; in line 10, by striking "collected,."; in line 11, by striking the comma after "79-32,119" and inserting "and"; also in line 11, by striking all after "79-32,121"; in line 12, by striking all before the second "and"; and the bill be passed as amended.

HB 2229 be amended on page 1, in line 9, by striking "2024" and inserting "2025"; in line 11, by striking "180" and inserting "120";

Also on page 1, in the title, in line 3, by striking "180" and inserting "120"; and the bill be passed as amended.

HB 2254, As Amended by House Committee of the Whole, be amended on page 1, following line 6, by inserting:

"New Section 1. Adverse influences not sufficiently accounted for in the agricultural use valuation formula for land devoted to agricultural use shall be addressed by the director of property valuation and the county appraiser. Adverse influences include, but are not limited to, canopy cover, salinity and alkalinity, water table fluctuation and newly constructed drainage and flood control areas. The county appraiser shall address canopy cover, salinity and alkalinity, water table fluctuation and newly constructed drainage and flood control areas as follows:

- (a) For canopy cover, the county appraiser shall:
 - (1) View the parcel;
 - (2) delineate the area impacted on a map;
 - (3) determine the appropriate reduction from actual inspection and make the appropriate reduction as follows:
 - (A) 0 to 25% cover = no reduction;
 - (B) 25% to 50% cover = 20% reduction;
 - (C) 50% to 75% cover = 30% reduction; and
 - (D) 75% to 100% cover = 50% reduction; and
 - (4) establish an adverse influence file for the parcel;
- (b) for salinity and alkalinity, the county appraiser shall:
 - (1) Request that the taxpayer provide soil analysis from a crop consulting service;
 - (2) delineate the area impacted on a map;
 - (3) reduce the value as indicated by the report;
 - (4) establish an adverse influence file for the parcel; and
 - (5) notify the local United States department of agriculture natural resources conservation service (NRCS) office of the change;
- (c) for water table fluctuation, the county appraiser shall:
 - (1) Delineate the area impacted on a map;
 - (2) contact the local NRCS office and request verification;
 - (3) contact the division of property valuation for assistance;
 - (4) obtain a temporary influence amount from the division of property valuation to use until the NRCS review is complete; and
 - (5) establish an adverse influence file for the parcel; and
- (d) for newly constructed drainage and flood control areas, the county appraiser shall:

- (1) View the parcel;
- (2) delineate the area impacted on a map;
- (3) contact the division of property valuation for assistance;
- (4) receive an adverse influence amount from the division of property valuation after the division contacts the responsible agency; and
- (5) establish an adverse influence file for the parcel."

Also on page 1, in line 7, by striking "2022" and inserting "2023";

On page 4, in line 35, by striking "2022" and inserting "2023";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "classification of"; also in line 1, after "land" by inserting "devoted to agricultural use"; in line 3, after "use" by inserting "for purposes of classification; accounting for adverse influences in the valuation of agricultural land"; also in line 3, by striking "2022" and inserting "2023"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2530**, As Amended by House Committee, be amended on page 2, in line 34, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **HB 2531** be amended on page 2, in line 32, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2532 be amended on page 3, in line 40, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2715 be amended on page 52, in line 41, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2787 be amended on page 7, in line 3, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2596** be amended on page 16, following line 22, by inserting:

"(3) Tianeptine, its optical isomers, salts and salts of isomers"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2499** be amended on page 12, in line 1, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **HB 2501**, As Amended by House Committee, be amended on page 1, in line 12, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Utilities** recommends **HB 2588** be amended on page 1, in line 23, by striking "and" and inserting "or";

On page 2, in line 26, after the second comma by inserting "and each year thereafter,"; also in line 26, after "utility's" by inserting "historic highest annual"; also in line 26, after "demand" by inserting "since 2014"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2760** be amended on page 26, in line 13, by striking "veterans claims assistance representatives" and inserting "trainers"; in line 17, by striking "The veterans service organization shall"; in line 19, by striking "the veterans service organization shall"; in line 22, by striking ", as well as" and inserting "and"; in line 28, by striking all after "completed"; in line 29, by striking "training" and inserting "federal department of veterans affairs office training, responsibility, involvement and preparation of claims (TRIP) course"; in line 39, after

"at" by inserting ":

(A)";

Also on page 26, in line 40, by striking all after the first "federal"; in line 41, by striking all before the semicolon and inserting "department of veterans affairs regional office or the veterans affairs medical center in Wichita; and

(B) each veterans affairs medical center in Topeka and Leavenworth as long as those facilities are in operation";

On page 27, in line 7, after "federal" by inserting "department of"; also in line 7, by striking "administration" and inserting "affairs"; in line 8, after "office" by inserting "or the veterans affairs medical center in Wichita"; also in line 8, by striking "the United States department of" and inserting "each"; also in line 8, by striking "centers" and inserting "center"; in line 9, after "Leavenworth" by inserting "as long as those facilities are in operation"; in line 16, by striking "past" and inserting "most recent"; in line 24, by striking all after "staff"; by striking all in line 25; in line 26, by striking all before the semicolon; in line 37, by striking "the" and inserting "such";

On page 1, in the title, in line 3, after the second semicolon by inserting "updating the veterans claims assistance program to include references to veterans affairs medical centers and cross-accreditation requirements;"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, March 14, 2024.

Journal of the Senate

FORTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 14, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 40 senators present.

The President introduced Pastor Jacob Heine, Faith Lutheran Church, Topeka, to deliver the invocation:

Jesus called His disciples over and said to them, "You know that those who are regarded as rulers of the Gentiles lord it over them, and those in high positions act as tyrants over them. But it is not so among you. On the contrary, whoever wants to become great among you will be your servant, and whoever wants to be first among you will be a slave to all. For even the Son of Man did not come to be served but to serve, and to give his life as a ransom for many." Mark 10:42-45

Heavenly Father, You remind us that our role in this world is one of service. You have called us to imitate Your Son, Jesus, who came not to be served but to serve. Forgive us for the times we have sought to have a place of honor rather than a place of service. Forgive us for the times when we have forgotten that You have placed us here to serve all people, not to be beholden to any one group or special interest.

As your servants, I ask that You would guide this government to do what is best for all people, regardless of their affinity or agenda. I ask You to help them to turn to You to ask what is best and not to look to themselves for personal thoughts and desires on what is best, so that none here would begin to lord over others their own agenda and purpose. I ask that You would guide each member of this chamber to seek Your agenda and Your purpose for the great state of Kansas. Give to each your heart of service, for in serving our neighbor we are able to truly see Your greatness.

Above all, O Lord, I ask that You would guide all hearts in this chamber, and throughout this great state, to once again come in humble submission before You, so that we would see all people, regardless of race, gender, or creed as those You love and therefore worthy of our love. In Jesus' name, 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 552, AN ACT concerning the state board of regents; enacting the Kansas campus restoration act; relating to deferred maintenance and demolition of facilities at postsecondary educational institutions; authorizing the board to adopt rules and regulations; establishing the Kansas campus restoration fund in the state treasury;

authorizing certain transfers from the state general fund to the Kansas campus restoration fund; requiring annual reports be submitted to certain committees of the legislature, by Committee on Ways and Means.

SB 553, AN ACT concerning insurance; relating to health insurance; permitting a plan sponsor to authorize electronic delivery of plan documents and identification cards for certain insured individuals covered by a health benefit plan; amending K.S.A. 40-5801, 40-5803 and 40-5804 and repealing the existing sections; also repealing K.S.A. 40-5802, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 547**.

Federal and State Affairs: **SB 548, SB 549, SB 550, SB 551**.

Utilities: **HB 2527**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator Longbine introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1746—

A RESOLUTION congratulating and commending
the 2024 Kansas Master Teachers.

WHEREAS, Seven of Kansas' best teachers have been selected as Kansas Master Teachers for 2024; and

WHEREAS, Local teacher associations, educational organizations and school faculties nominate candidates for the awards. A committee representing educational organizations from across Kansas selected the 2024 winners; and

WHEREAS, The 2024 Kansas Master Teachers are Bre McGranahan, an intensive resource teacher at Stanley Elementary in Blue Valley, USD 229; Erica Threatt, a K-5 instructional coach at Meadowlark Elementary in Liberal, USD 480; Jennifer Fallin, an instructional coach at Washington Elementary in Geary County, USD 475; Jessica Brown, a first grade AVID teacher at Sunflower Elementary School in Lawrence, USD 497; Jessica Buchanan, an engineering teacher at Maize Middle School in Maize, USD 266; Lindsey Dowell, a 7th-8th grade gifted facilitator at Washburn Rural Middle School in Topeka, USD 437; and Sara Hoffman, a second grade teacher at Canyon Creek Elementary School in Olathe, USD 233; and

WHEREAS, Emporia State University established the Kansas Master Teacher Awards in 1953; and

WHEREAS, The awards are presented annually to teachers who have long served the profession and exemplify the outstanding qualities of earnest and conscientious teachers; and

WHEREAS, Since 1980, Bank of America has pledged more than \$100,000 to permanently endow the Kansas Master Teacher Awards; and

WHEREAS, In 1984, the Black family of Broken Arrow, Oklahoma, established an endowed chair for Kansas Master Teachers; and

WHEREAS, The fund provides a stipend to bring two Master Teachers to Emporia State University for a portion of a semester to provide presentations to classes of education students; and

WHEREAS, The members of the Senate of the State of Kansas recognize the invaluable contributions of great teachers such as those being honored today; and

WHEREAS, These 2024 Master Teachers serve as mentors and role models and lay the groundwork for the best educators of tomorrow. They go above and beyond what is expected and offer inspiration, as well as instruction. They teach with heart and soul, and by giving the best of themselves, they encourage students to give their best in return: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the 2024 Kansas Master Teachers for demonstrating excellence in their profession and devotion to the children of Kansas; and

Be it further resolved: That we offer our heartfelt thanks to those extraordinary educators who face so many challenges in the classroom each day, yet persevere, choosing the satisfaction of doing their best and overcoming the frustrations inherent in their job, and we extend our best wishes for their continued success and happiness; and

Be it further resolved: That the Secretary of the Senate shall send seven enrolled copies of this resolution to Senator Longbine.

On emergency motion of Senator Longbine **SR 1746** was adopted by voice vote.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2491, HB 2551, HB 2705**

Announcing passage of **SB 336, SB 431.**

Announcing passage of **SB 340**, as amended.

The House nonconcur in Senate amendments to **HB 2105**, requests a conference and has appointed Representatives Hoheisel, Clifford and Xu as conferees on the part of the House.

The House concurs in Senate amendments to **S Sub HB 2247.**

Announcing passage of **HB 2521.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2491, HB 2521, HB 2551, HB 2705 were thereupon introduced and read by title.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Erickson in the chair.

On motion of Senator Erickson the following summary report was adopted:

SB 480 be passed.

Sub HB 2036 be passed by adoption of the committee report recommending a substitute bill

Sub SB 60 be passed by adoption of the committee report recommending a substitute bill and as amended by Committee of the Whole

SB 311, SB 376, SB 482, SB 498 be passed as amended by the adoption of the committee reports.

SB 484, SB 539; HB 2465 be passed as amended by adoption of the committee reports and as further amended by Committee of the Whole.

HB 2229, HB 2254, HB 2682 be passed over and retain a place on the calendar.

COMMITTEE OF THE WHOLE ACTIONS

SB 60 be amended by adoption of the committee report on **SB 60** recommending **Sub SB 60**, be amended by motion of Senator Peck; on page 1, following line 9, by inserting:

"New Section 1. (a) (1) On and after July 1, 2024, during the four-day period beginning at 12:01 a.m. on the first Thursday in August and ending at midnight on the Sunday following, all back-to-school-related sales of the following items shall be exempt from the tax imposed by the Kansas retailers' sales tax act:

(A) Clothing or clothing accessories or equipment with a sales price of \$300 or less per item;

(B) school supplies, school instructional materials or school art supplies with a sales price of \$100 or less per item;

(C) prewritten computer software with a sales price of \$300 or less per item; and

(D) computers or school computer supplies with a sales price of \$2,000 or less per item.

(2) Only items priced at or below the price threshold established in this subsection shall be exempt from taxation pursuant to this subsection. Notwithstanding K.S.A. 79-3609, and amendments thereto, the seller of items specified in this subsection is not required to obtain an exemption certificate from the purchaser of such items during the period of time specified in this subsection. There shall be no exemption pursuant to this subsection for only a portion of the price of an individual item.

(b) As used in this section:

(1) "Clothing" means all human wearing apparel suitable for general use.

(A) "Clothing" includes, but is not limited to:

(i) Aprons, household and shop;

(ii) athletic supporters;

(iii) baby receiving blankets;

(iv) bathing suits and caps;

(v) beach capes and coats;

(vi) belts and suspenders;

(vii) boots;

(viii) coats and jackets;

(ix) costumes;

(x) diapers, children and adult, including disposable diapers;

(xi) ear muffs;

(xii) footlets;

(xiii) formal wear;

(xiv) garters and garter belts;

(xv) girdles;

(xvi) gloves and mittens for general use;

(xvii) hats and caps;

(xviii) hosiery;

(xix) insoles for shoes;

(xx) lab coats;

(xxi) neckties;

(xxii) overshoes;

(xxiii) pantyhose;

- (xxiv) rainwear;
 - (xxv) rubber pants;
 - (xxvi) sandals;
 - (xxvii) scarves;
 - (xxviii) shoes and shoe laces;
 - (xxix) slippers;
 - (xxx) sneakers;
 - (xxxi) socks and stockings;
 - (xxxii) steel-toed shoes;
 - (xxxiii) underwear;
 - (xxxiv) uniforms, athletic and non-athletic; and
 - (xxxv) wedding apparel.
- (B) "Clothing" does not include:
- (i) Belt buckles sold separately;
 - (ii) costume masks sold separately;
 - (iii) patches and emblems sold separately;
 - (iv) sewing equipment and supplies, including, but not limited to, knitting needles, patterns, pins, scissors, sewing machines, sewing needles, tape measures and thimbles; and
 - (v) sewing materials that become part of clothing, including, but not limited to, buttons, fabric, lace, thread, yarn and zippers.
- (2) "Clothing accessories or equipment" means incidental items worn on the person or in conjunction with clothing. "Clothing accessories or equipment" includes, but is not limited to:
- (A) Briefcases;
 - (B) cosmetics;
 - (C) hair notions, including, but not limited to, barrettes, hair bows and hair nets;
 - (D) handbags;
 - (E) handkerchiefs;
 - (F) jewelry;
 - (G) sunglasses, nonprescription;
 - (H) umbrellas;
 - (I) wallets;
 - (J) watches; and
 - (K) wigs and hairpieces.
- (3) "Computer" means a personal computer such as a laptop or desktop computer or a tablet, but not including a phone.
- (4) "Eligible property" means an item of a type, such as clothing, that qualifies for the sales tax exemption as provided in this section.
- (5) "Layaway sale" means a transaction in which property is set aside for future delivery to a customer who makes a deposit, agrees to pay the balance of the purchase price over a period of time and, at the end of the payment period, receives the property. An order is accepted for layaway by the seller when the seller removes the property from normal inventory or clearly identifies the property as sold to the purchaser.
- (6) "Prewritten computer software" means the same as defined in K.S.A. 79-3602, and amendments thereto, except that such term only includes software designed for a computer as defined in this section.

(7) "Rain check" means the seller allows a customer to purchase an item at a certain price at a later time, because the particular item was out of stock.

(8) "School art supply" means an item commonly used by a student in a course of study for artwork. The following is an all-inclusive list:

- (A) Clay and glazes;
- (B) paints; acrylic, tempera and oil;
- (C) paintbrushes for artwork;
- (D) sketch and drawing pads; and
- (E) watercolors.

(9) "School computer supply" means an item commonly used by a student in a course of study in which a computer is used. The following is an all-inclusive list:

- (A) Computer storage media; diskettes, compact disks;
- (B) handheld electronic schedulers, except devices that are cellular phones;
- (C) personal digital assistants, except devices that are cellular phones;
- (D) computer printers; and
- (E) printer supplies for computers; printer paper, printer ink.

(10) "School instructional material" means written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The following is an all-inclusive list:

- (A) Reference books;
- (B) reference maps and globes;
- (C) textbooks; and
- (D) workbooks.

(11) "School supply" means an item commonly used by a student in a course of study. The following is an all-inclusive list:

- (A) Binders;
- (B) book bags;
- (C) calculators;
- (D) cellophane tape;
- (E) blackboard chalk;
- (F) compasses;
- (G) composition books;
- (H) crayons;
- (I) erasers;
- (J) folders; expandable, pocket, plastic and manila;
- (K) glue, paste and paste sticks;
- (L) highlighters;
- (M) index cards;
- (N) index card boxes;
- (O) legal pads;
- (P) lunch boxes;
- (Q) markers;
- (R) notebooks;
- (S) paper; loose leaf ruled notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board and construction paper;
- (T) pencil boxes and other school supply boxes;
- (U) pencil sharpeners;

- (V) pencils;
- (W) pens;
- (X) protractors;
- (Y) rulers;
- (Z) scissors; and
- (AA) writing tablets.

(c) The secretary of revenue shall provide notice of the exemption period to retailers at least 60 days prior to the first day of the calendar month in which the exemption period established in this section commences.

(d) The following procedures are to be used in administering the exemption as provided in this section:

(1) A sale of eligible property under a layaway sale qualifies for exemption if:

(A) Final payment on a layaway order is made by, and the property is given to, the purchaser during the exemption period; or

(B) the purchaser selects the property and the retailer accepts the order for the item during the exemption period for immediate delivery upon full payment, even if delivery is made after the exemption period.

(2) There shall be no change during the period of exemption for the handling of a bundled sale as treated for sales tax purposes at times other than the exemption period.

(3) A discount by the seller reduces the sales price of the property, and the discounted sales price determines whether the sales price is within the price threshold provided in subsection (a). A coupon that reduces the sales price is treated as a discount if the seller is not reimbursed for the coupon amount by a third party. If a discount applies to the total amount paid by a purchaser rather than to the sales price of a particular item and the purchaser has purchased both eligible property and taxable property, the seller shall allocate the discount based on the total sales prices of the taxable property compared to the total sales prices of all property sold in that same transaction.

(4) Articles that are normally sold as a single unit must continue to be sold in that manner. Such articles cannot be priced separately and sold as individual items in order to obtain the exemption.

(5) Eligible property that customers purchase during the exemption period with use of a rain check will qualify for the exemption regardless of when the rain check was issued. Issuance of a rain check during the exemption period shall not qualify eligible property for the exemption if the property is actually purchased after the exemption period.

(6) The procedure for an exchange in regards to an exemption is as follows:

(A) If a customer purchases an item of eligible property during the exemption period but later exchanges the item for a similar eligible item, even if a different size, different color or other feature, no additional tax is due even if the exchange is made after the exemption period;

(B) if a customer purchases an item of eligible property during the exemption period, but after the exemption period has ended the customer returns the item and receives credit on the purchase of a different item, the appropriate sales tax is due on the sale of the new item; and

(C) if a customer purchases an item of eligible property before the exemption period, but during the exemption period the customer returns the item and receives

credit on the purchase of a different item of eligible property, no sales tax is due on the sale of the new item if the new item is purchased during the exemption period.

(7) For the purpose of an exemption, eligible property qualifies for the exemption if:

(A) The item is both delivered to and paid for by the customer during the exemption period; or

(B) the customer orders and pays for the item and the seller accepts the order during the exemption period for immediate shipment, even if delivery is made after the exemption period. For purposes of this subparagraph, the seller accepts an order when the seller has taken action to fill the order for immediate shipment. Actions to fill an order include placement of an "in date" stamp on a mail order or assignment of an order number to a telephone order. For purposes of this subparagraph, an order is for immediate shipment when the customer does not request delayed shipment. An order is for immediate shipment notwithstanding that the shipment may be delayed because of a backlog of orders or because stock is currently unavailable to, or on back order by, the seller.

(8) For a 60-day period immediately after the exemption period, when a customer returns an item that would qualify for the exemption, no credit for or refund of sales tax shall be given unless the customer provides a receipt or invoice that shows tax was paid or the seller has sufficient documentation to show that tax was paid on the specific item. The 60-day period is set solely for the purpose of designating a time period during which the customer must provide documentation that shows that sales tax was paid on returned merchandise. The 60-day period is not intended to change a seller's policy on the time period during which the seller will accept returns.

(9) The time zone of the seller's location determines the authorized time period for a sales tax holiday when the purchaser is located in one time zone and a seller is located in another.

(e) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 6, after "inc" by inserting a period; also in line 6, after the semicolon by inserting "establishing an exemption for certain sales of school supplies, computers and clothing during an annual sales tax holiday;"

Sub SB 60 be further amended by motion of Senator Faust-Goudeau; on page 40, in line 7, by striking "and"; in line 14, after "self-sufficiency" by inserting "; and

(uuuu) all sales of menstrual discharge collection devices and diapers, children's and adult, including disposable diapers. As used in this subsection:

- (1) "Adult diapers" means diapers other than children's diapers;
- (2) "children's diapers" means diapers marketed to be worn by children;
- (3) "diaper" means an absorbent garment worn by humans who are incapable of, or have difficulty, controlling their bladder or bowel movements;
- (4) "grooming and hygiene products" includes soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants and suntan lotions and screens; and
- (5) "menstrual discharge collection devices" means tampons, panty liners, menstrual cups, pads and other similar tangible personal property designed for use in connection with the human menstrual cycle but does not include grooming and hygiene products";

On page 1, in the title, in line 6, by striking "and" and inserting a comma; also in line 6, before the semicolon by inserting ". and sales of menstrual discharge collection devices and diapers"

Sub SB 60 be further amended by motion of Senator Blasi; on page 40, in line 7, by striking "and"; in line 14, after "self-sufficiency" by inserting "; and

(uuuu) on and after January 1, 2024, all sales of tangible personal property or services purchased by exploration place, inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and which such property and services are used for the purpose of constructing, remodeling, furnishing or equipping a riverfront amphitheater, a destination playscape, an education center and indoor renovations at exploration place in Wichita, Kansas, all sales of tangible personal property or services purchased by Kansas children's discovery center inc. in Topeka, Kansas, and which such property and services are used for the purpose of constructing, remodeling, furnishing or equipping projects that include indoor-outdoor classrooms, an expanded multi-media gallery, a workshop and loading dock and safety upgrades such as a tornado shelter, lactation room, first aid room and sensory room and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, remodeling, furnishing or equipping such projects, for such organizations, that would be exempt from taxation under the provisions of this section if purchased directly by such organizations. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, remodeling, furnishing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing, remodeling, furnishing or equipping such projects, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization shall be liable for tax on all materials purchased for the project, and upon payment thereof may recover the same from the contractor together with reasonable attorney fees. Any contractor or agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2024, but prior to the effective date of this act, upon the gross

receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee. The provisions of this subsection shall expire and have no effect on and after December 31, 2030";

On page 1, in the title, in line 6, after "inc" by inserting ", exploration place, inc. and Kansas children's discovery center, inc."

A motion by Senator Steffen to amend **Sub SB 60** failed.

A motion by Senator Reddi to amend **Sub SB 60** failed.

SB 311 be amended by the adoption of the committee amendments.

SB 376 be amended by the adoption of the committee amendments.

A motion by Senator Steffen to amend **SB 376** failed.

SB 480 be passed.

SB 482 be amended by the adoption of the committee amendments.

SB 484 be amended by the adoption of the committee amendments, be further amended by motion of Senator Peck; on page 1, in line 16, by striking "12,000" and inserting "15,000"

SB 498 be amended by the adoption of the committee amendments.

A motion by Senator Sykes to amend **SB 498** failed and the following amendment was rejected; on page 1, by striking all in lines 12 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 30;

On page 4, following line 39, by inserting:

"New Section 1. (a) For tax year 2024, and all tax years thereafter, there shall be allowed a credit against the tax liability of a resident individual taxpayer imposed under the Kansas income tax act for each qualifying child of the taxpayer in the amount set forth in the following schedule for married individuals filing joint returns and all other individuals, except as provided in subsection (b):

Kansas adjusted	Amount of credit
gross income	per qualifying child
\$0 to \$25,000	\$600
Over \$25,000 but not over \$50,000	\$400
Over \$50,000 but not over \$75,000	\$200
Over \$75,000 but not over \$100,000	\$100
Over \$100,000 but not over \$200,000	\$75
Over \$200,000 but not over \$350,000	\$50
Over \$350,000	\$25

(b) Married individuals filing separate returns for a tax year for which they could have filed a joint return may each claim only $\frac{1}{2}$ of the amount of credit per qualifying child that would have been claimed on a joint return.

(c) In the case of all tax years after tax year 2024, all threshold income amounts and

credit amounts prescribed in this section shall be increased by an amount equal to such amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

(d) Except as provided in subsection (b), an individual may be claimed as a qualifying child by only one taxpayer per tax year.

(e) If the amount of the credit allowed by this section exceeds the taxpayer's income tax liability imposed under the Kansas income tax act, such excess amount shall be refunded to the taxpayer.

(f) The secretary of revenue shall compile an annual report each year on the child tax credit that includes the number of taxpayers receiving the credit, the adjusted threshold income amounts and credit amounts pursuant to subsection (c), the aggregate amount of the credits, an analysis of the cost of the credit and any other information necessary to evaluate the effectiveness of the credit. On or before January 31 each year, the secretary of revenue shall submit such annual report in writing to the senate committee on assessment and taxation and the house committee on taxation.

(g) As used in this section, "qualifying child" means, with respect to any taxpayer for any taxable year, an individual who:

- (1) Bears a relationship to the taxpayer described in subsection (h);
- (2) has the same principal place of abode as the taxpayer for more than $\frac{1}{2}$ of such taxable year;
- (3) has not attained 18 years of age as of the close of the calendar year in which the taxable year of the taxpayer begins;
- (4) has not provided over $\frac{1}{2}$ of such individual's own support for the calendar year in which the taxable year of the taxpayer begins; and
- (5) has not filed a joint return, other than only for a claim of refund, with the individual's spouse for the taxable year.

(h) An individual bears a relationship to the taxpayer described in this section if such individual is:

- (1) A child of the taxpayer or a descendant of such a child; or
- (2) a brother, sister, stepbrother or stepsister of the taxpayer or a descendant of any such relative.

(i) The provisions of this section shall be a part of and supplemental to the Kansas income tax act.;

On page 6, by striking all in lines 2 through 43;

By striking all on pages 7 through 43;

On page 44, by striking all in lines 1 through 41; in line 42, by striking "and K.S.A. 2023 Supp. 79-3606 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "income"; in line 2, by striking "credits"; also in line 2, by striking all after "a"; by striking all in line 3; in line 4, by striking "facilities" and inserting "child tax credit"; by striking all in lines 6 and 7; in line 8, by striking all before "amending"; also in line 8, by striking all after "79-32,202a"; in line 9, by striking all before "and"; also in line 9, by striking "sections" and inserting "section"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 11; Nays 27; Present and Passing 0; Absent or Not

Voting 2.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Doll, McGinn.

SB 539 be amended by the adoption of the committee amendments.

In accordance with Senate Rule 27, Senator Masterson requested that the question on **SB 539** as amended by Senate Committee, be divided into four parts.

Part One was retained by voice vote.

Part Two was retained by voice vote.

Part Three was retained by voice vote.

Part Four was retained by voice vote.

SB 539 be further amended by motion of Senator Thompson; on page 1, in line 25, by striking "\$80,000" and inserting "\$100,000"

SB 539 be further amended by motion of Senator Shallenburger; on page 27, following line 3, by inserting:

"Sec. 8. K.S.A. 2023 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.5%. On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project.

Such tax shall be imposed upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received

from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be

in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" means the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" means only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" means a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" means only those enclosures within which individuals customarily live;

(5) "utility structure" means transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" means straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section;

(w) all sales of charitable raffle tickets in accordance with K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(x) commencing on January 1, 2023, and thereafter, the state rate on the gross receipts from the sale of food and food ingredients shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

Sec. 9. K.S.A. 2023 Supp. 79-3603d is hereby amended to read as follows: 79-3603d. (a) There is hereby levied and there shall be collected and paid a tax upon the gross receipts from the sale of food and food ingredients. The rate of tax shall be as follows:

(1) Commencing on January 1, 2023, at the rate of 4%;

(2) commencing on January 1, 2024, at the rate of 2%; and

(3) commencing on ~~January 1, 2025~~ July 1, 2024, and thereafter, at the rate of 0%.

(b) The provisions of this section shall not apply to prepared food unless sold without eating utensils provided by the seller and described below:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);

(2) (A) food sold in an unheated state by weight or volume as a single item; or

(B) only meat or seafood sold in an unheated state by weight or volume as a single item;

(3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or

(4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption.

(c) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 10. K.S.A. 2023 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of

this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 11. K.S.A. 2023 Supp. 79-3703 is hereby amended to read as follows: 79-3703. (a) There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%.

(b) Commencing on January 1, 2023, and thereafter, the state rate on the amount equal to the consideration paid by the taxpayer from the sale of food and food ingredients as provided in K.S.A. 79-3603, and amendments thereto, shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

(c) On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

(d) Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project.

(e) All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 12. K.S.A. 2023 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this

act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to

\$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.";

Also on page 27, in line 5, by striking "and" and inserting a comma; in line 6, before "are" by inserting ", 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710";

And by renumbering sections accordingly;

And by adjusting the title and repealer accordingly if multiple amendments are adopted;

On page 1, in the title, in line 11, before "amending" by inserting "relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected;"; in line 12, by striking "and" and inserting a comma; in line 13, before "and" by inserting ", 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710"

SB 539 be further amended by motion of Senator O'Shea; on page 1, following line 19, by inserting:

"New Section 1. (a) For tax year 2024, and all tax years thereafter, there shall be allowed a credit against the tax liability of a resident individual taxpayer imposed under the Kansas income tax act for each qualifying child of the taxpayer in the amount set forth in the following schedule for married individuals filing joint returns and all other individuals, except as provided in subsection (b):

Kansas adjusted gross income	Amount of credit per qualifying child
\$0 to \$25,000	\$600
Over \$25,000 but not over \$50,000	\$400
Over \$50,000 but not over \$75,000	\$200
Over \$75,000 but not over \$100,000	\$100
Over \$100,000 but not over \$200,000	\$75
Over \$200,000 but not over \$350,000	\$50
Over \$350,000	\$25

(b) Married individuals filing separate returns for a tax year for which they could have filed a joint return may each claim only $\frac{1}{2}$ of the amount of credit per qualifying child that would have been claimed on a joint return.

(c) In the case of all tax years after tax year 2024, all threshold income amounts and credit amounts prescribed in this section shall be increased by an amount equal to such amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of

the federal internal revenue code for the calendar year in which the taxable year commences.

(d) Except as provided in subsection (b), an individual may be claimed as a qualifying child by only one taxpayer per tax year.

(e) If the amount of the credit allowed by this section exceeds the taxpayer's income tax liability imposed under the Kansas income tax act, such excess amount shall be refunded to the taxpayer.

(f) The secretary of revenue shall compile an annual report each year on the child tax credit that includes the number of taxpayers receiving the credit, the adjusted threshold income amounts and credit amounts pursuant to subsection (c), the aggregate amount of the credits, an analysis of the cost of the credit and any other information necessary to evaluate the effectiveness of the credit. On or before January 31 each year, the secretary of revenue shall submit such annual report in writing to the senate committee on assessment and taxation and the house committee on taxation.

(g) As used in this section, "qualifying child" means, with respect to any taxpayer for any taxable year, an individual who:

- (1) Bears a relationship to the taxpayer described in subsection (h);
- (2) has the same principal place of abode as the taxpayer for more than $\frac{1}{2}$ of such taxable year;
- (3) has not attained 5 years of age as of the close of the calendar year in which the taxable year of the taxpayer begins;
- (4) has not provided over $\frac{1}{2}$ of such individual's own support for the calendar year in which the taxable year of the taxpayer begins; and
- (5) has not filed a joint return, other than only for a claim of refund, with the individual's spouse for the taxable year.

(h) An individual bears a relationship to the taxpayer described in this section if such individual is:

- (1) A child of the taxpayer or a descendant of such a child; or
- (2) a brother, sister, stepbrother or stepsister of the taxpayer or a descendant of any such relative.

(i) The provisions of this section shall be a part of and supplemental to the Kansas income tax act.;

And by renumbering sections accordingly;

Also on page 1, in the title, in line 5, after the semicolon by inserting "establishing a child tax credit;"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 26; Nays 6; Present and Passing 8; Absent or Not Voting 0.

Yeas: Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Straub, Sykes, Ware, Wilborn.

Nays: Doll, Fagg, Peck, Steffen, Thompson, Tyson.

Present and Passing: Alley, Baumgardner, Erickson, Gossage, Kloos, Masterson, Ryckman, Warren.

A motion by Senator Haley to amend **SB 539** failed. and the following amendment was rejected; on page 1, following line 19, by inserting:

"New Section 1. (a) Any county is hereby empowered and authorized in accordance

with the provisions of this act to levy an earnings tax upon:

(1) All individuals employed or working within such county; and
(2) all resident individuals of such county who are employed or working outside such county.

(b) The rate of any earnings tax pursuant to subsection (a) shall not exceed 1% per annum.

(c) The revenue derived from the earnings tax authorized by this act shall be pledged for general county purposes.

(d) At least 50% of the revenue derived from the earnings tax authorized by this act shall be credited in the budget of the county to reduce the amount of revenue otherwise necessary to be derived from the ad valorem property tax.

(e) If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act, which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

New Sec. 2. As used in this act:

(a) "Act" means the provisions of sections 1 through 6, and amendments thereto.

(b) "Earnings tax" means a tax on the salaries, wages, commissions and other compensation earned by:

(1) Residents of the county; and

(2) nonresidents of the county for work done or services performed or rendered in the county.

(c) "Salaries, wages, commissions and other compensation" does not include contributions to any deferred compensation plans, including, but not limited to, any salary reduction plans, cafeteria plans or any other similar plans deferring the receipt of compensation by a resident or nonresident if such contribution is not subject to Kansas state income tax at the time such contribution is made.

New Sec. 3. (a) No county shall levy an earnings tax until the governing body of such county shall first submit such proposition to and receive the approval of a majority of the electors of the county voting thereon at election specified by the county. Any county proposing to adopt an earnings tax shall adopt a resolution giving notice of its intention to subject such proposition for approval by the electors in the manner required by K.S.A. 25-105, and amendments thereto. The notice shall state the time of the election, the rate of the tax and the purpose for which the proceeds will be expended in accordance with section 1(c), and amendments thereto. Every election held under this act shall be conducted by the county election officer.

(b) If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of that county shall provide by resolution the levy of the tax. Any repeal of such tax, or any reduction or increase in the rate thereof, within the limits of this act, shall be accomplished in the manner provided for in this act for the adoption and approval of such tax, except that the governing body of a county shall be required to submit such question upon submission of a petition signed by the electors of such county equal in number to not less than 10% of the electors of such county. If a majority of the electors voting thereon at such election fail to approve the proposition, it may be resubmitted under the conditions and in the manner provided in this act for submission of the original proposition.

(c) Any resolution that has been adopted to give notice of the intention of the

governing body of the county to submit the proposition of levying an earnings tax to the electors of the county shall contain provisions pledging the use of the revenue to be received from such tax if such resolution is approved by the voters in accordance with the provisions of section 1(c), and amendments thereto. Such description shall be consistent with that contained in the notice of election required by subsection (a).

(d) In any county imposing an earnings tax pursuant to this act, once every five years after the initial levy of the earnings tax by the county, the question whether to continue to impose an earnings tax shall be submitted to the electors in the same manner provided in this act for the original proposition.

New Sec. 4. Any person exempt from the payment of state income tax pursuant to K.S.A. 79-32,113, and amendments thereto, shall be exempt from the payment of an earnings tax levied pursuant to this act.

New Sec. 5. The amount of earnings tax paid to another county with an earnings tax by a resident individual shall be allowed as a credit against the earnings tax of the county of such individual's residence.

New Sec. 6. (a) By resolution, the county may provide for deductions and exemptions from salaries, wages and commissions and may provide exemptions on account of spouses and dependents.

(b) The earnings subject to earnings tax of any nonresident individual when work is performed or rendered both within and without the county may be ascertained by a formula set forth by resolution of the county.

(c) The state of Kansas and its political subdivisions shall deduct from the earnings of their employees the amount of any county earnings tax levied upon the income of the particular employee and remit the same to the county levying such tax. The state of Kansas and its political subdivisions shall be entitled to deduct and retain of the total amount so collected to compensate such employer for collecting the tax a percentage as follows: 3% if such county earnings tax is less than 1% of gross earnings; or 1.5% if such county earnings tax is 1% of gross earnings.

(d) Any county levying an earnings tax is hereby authorized to impose, by resolution, upon employers within the county the duty of collecting and remitting to the county any tax that may be levied upon the earnings of employees pursuant to this act and to prescribe penalties for failure to perform such duty. If any such county should impose such duty on employers, each such employer shall be entitled to deduct and retain 1.5% of the total amount collected to compensate such employer for collecting such tax. The governing body of any such county, by resolution, may reduce, eliminate or reimpose, if eliminated, the fee allowed to employers by this subsection.

(e) (1) All employers within the state, upon request as provided in this subsection, shall submit to any county levying an earnings tax a complete listing of all their employees who reside within the territorial limits or boundaries of the requesting county and their current addresses according to the records of the employer. Any request shall be made in writing and shall be mailed to the principal office of the employer. If the employer is a corporation, the written request shall be made to the registered agent of the corporation at its registered office. All written requests provided for in this subsection shall be by registered or certified mail. Such request may not be made more than once each year. This subsection shall not apply to employers who deduct from the earnings of their employees the amount of any county earnings tax levied upon the income of the particular employee and remit the same to the county

levying such tax.

(2) No list of employees furnished to the county shall be used for any purpose other than in connection with the collection of an earnings tax. Such lists shall be treated as confidential records and, except in accordance with a proper judicial order, shall not be disclosed by the county. Such lists shall not be open to public inspection pursuant to the Kansas open records act.

(3) The provisions of this subsection providing for the confidentiality of records shall expire on July 1, 2029, unless the legislature reviews and continues such provisions in accordance with K.S.A. 45-229, and amendments thereto, prior to July 1, 2029.

Sec. 7. K.S.A. 19-101a is hereby amended to read as follows: 19-101a. (a) The board of county commissioners may transact all county business and perform all powers of local legislation and administration it deems appropriate, subject only to the following limitations, restrictions or prohibitions:

(1) Counties shall be subject to all acts of the legislature which apply uniformly to all counties.

(2) Counties may not affect the courts located therein.

(3) Counties shall be subject to acts of the legislature prescribing limits of indebtedness.

(4) In the exercise of powers of local legislation and administration authorized under provisions of this section, the home rule power conferred on cities to determine their local affairs and government shall not be superseded or impaired without the consent of the governing body of each city within a county which may be affected.

(5) Counties may not legislate on social welfare administered under state law enacted pursuant to or in conformity with public law No. 271 – 74th congress, or amendments thereof.

(6) Counties shall be subject to all acts of the legislature concerning elections, election commissioners and officers and their duties as such officers and the election of county officers.

(7) Counties shall be subject to the limitations and prohibitions imposed under K.S.A. 12-187 through 12-195, and amendments thereto, prescribing limitations upon the levy of retailers' sales taxes by counties.

(8) Counties may not exempt from or effect changes in statutes made nonuniform in application solely by reason of authorizing exceptions for counties having adopted a charter for county government.

(9) No county may levy ad valorem taxes under the authority of this section upon real property located within any redevelopment project area established under the authority of K.S.A. 12-1772, and amendments thereto, unless the resolution authorizing the same specifically authorized a portion of the proceeds of such levy to be used to pay the principal of and interest upon bonds issued by a city under the authority of K.S.A. 12-1774, and amendments thereto.

(10) Counties shall have no power under this section to exempt from any statute authorizing or requiring the levy of taxes and providing substitute and additional provisions on the same subject, unless the resolution authorizing the same specifically provides for a portion of the proceeds of such levy to be used to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto.

(11) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4601 through 19-4625, and amendments thereto.

(12) Except as otherwise specifically authorized by K.S.A. 12-1,101 through 12-1,109, and amendments thereto, and sections 1 through 6, and amendments thereto, counties may not levy and collect taxes on incomes from whatever source derived.

(13) Counties may not exempt from or effect changes in K.S.A. 19-430, and amendments thereto.

(14) Counties may not exempt from or effect changes in K.S.A. 19-302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.

(15) Counties may not exempt from or effect changes in K.S.A. 19-15,139, 19-15,140 and 19-15,141, and amendments thereto.

(16) Counties may not exempt from or effect changes in the provisions of K.S.A. 12-1223, 12-1225, 12-1225a, 12-1225b, 12-1225c and 12-1226, and amendments thereto, or the provisions of K.S.A. 12-1260 through 12-1270 and 12-1276, and amendments thereto.

(17) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-211, and amendments thereto.

(18) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4001 through 19-4015, and amendments thereto.

(19) Counties may not regulate the production or drilling of any oil or gas well in any manner which would result in the duplication of regulation by the state corporation commission and the Kansas department of health and environment pursuant to chapter 55 and chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant thereto. Counties may not require any license or permit for the drilling or production of oil and gas wells. Counties may not impose any fee or charge for the drilling or production of any oil or gas well.

(20) Counties may not exempt from or effect changes in K.S.A. 79-41a04, and amendments thereto.

(21) Counties may not exempt from or effect changes in K.S.A. 79-1611, and amendments thereto.

(22) Counties may not exempt from or effect changes in K.S.A. 79-1494, and amendments thereto.

(23) Counties may not exempt from or effect changes in K.S.A. 19-202(b), and amendments thereto.

(24) Counties may not exempt from or effect changes in K.S.A. 19-204(b), and amendments thereto.

(25) Counties may not levy or impose an excise, severance or any other tax in the nature of an excise tax upon the physical severance and production of any mineral or other material from the earth or water.

(26) Counties may not exempt from or effect changes in K.S.A. 79-2017 or 79-2101, and amendments thereto.

(27) Counties may not exempt from or effect changes in K.S.A. 2-3302, 2-3305, 2-3307, 2-3318, 17-5904, 17-5908, 47-1219, 65-171d, 65-1,178 through 65-1,199, 65-3001 through 65-3028, and amendments thereto.

(28) Counties may not exempt from or effect changes in K.S.A. 80-121, and amendments thereto.

(29) Counties may not exempt from or effect changes in K.S.A. 19-228, and amendments thereto.

(30) Counties may not exempt from or effect changes in the Kansas 911 act.

(31) Counties may not exempt from or effect changes in K.S.A. 26-601, and amendments thereto.

(32) (A) Counties may not exempt from or effect changes in the Kansas liquor control act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas liquor control act.

(33) (A) Counties may not exempt from or effect changes in the Kansas cereal malt beverage act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas cereal malt beverage act.

(34) Counties may not exempt from or effect changes in the Kansas lottery act.

(35) Counties may not exempt from or effect changes in the Kansas expanded lottery act.

(36) Counties may neither exempt from nor effect changes to the eminent domain procedure act.

(37) Any county granted authority pursuant to the provisions of K.S.A. 19-5001 through 19-5005, and amendments thereto, shall be subject to the limitations and prohibitions imposed under K.S.A. 19-5001 through 19-5005, and amendments thereto.

(38) Except as otherwise specifically authorized by K.S.A. 19-5001 through 19-5005, and amendments thereto, counties may not exercise any authority granted pursuant to K.S.A. 19-5001 through 19-5005, and amendments thereto, including the imposition or levy of any retailers' sales tax.

(39) Counties may not exempt from or effect changes in K.S.A. 65-201 and 65-202, and amendments thereto.

(b) Counties shall apply the powers of local legislation granted in subsection (a) by resolution of the board of county commissioners. If no statutory authority exists for such local legislation other than that set forth in subsection (a) and the local legislation proposed under the authority of such subsection is not contrary to any act of the legislature, such local legislation shall become effective upon passage of a resolution of the board and publication in the official county newspaper. If the legislation proposed by the board under authority of subsection (a) is contrary to an act of the legislature which is applicable to the particular county but not uniformly applicable to all counties, such legislation shall become effective by passage of a charter resolution in the manner provided in K.S.A. 19-101b, and amendments thereto.

(c) Any resolution adopted by a county which conflicts with the restrictions in subsection (a) is null and void.";

On page 27, in line 4, after the first "K.S.A." by inserting "19-101a,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "taxation;" by inserting "authorizing counties to impose an earnings tax;"; in line 11, after the first "K.S.A." by inserting "19-101a,"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 6; Nays 31; Present and Passing 3; Absent or Not Voting 0.

Yeas: Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Pittman.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Holland, Sykes, Ware.

EXPLANATION OF VOTE

I offered this Amendment and obviously Vote AYE on the same. If it had passed, the Amendment would simply allow any County, if it so chose, to put before its' respective voters an Earnings tax of from 1-1.5% which, when collected, would be applied to property tax reductions in the enacting County. Taken from the successful model of Missouri's enabling legislation, Kansas City (MO) and St. Louis (MO) have implemented and prospered from Earnings taxes for decades; overwhelmingly renewed by their respective County's voters on ballots held every ten years. For example, Wyandotte County, MY County, would put the ballot question out to our people and, recognizing that only 30% of our employee work force actually resides in Wyandotte County (70% of the people who work in Wyandotte County are just "day-timers;" come to earn by day and leave the County at night.) The denial of this Amendment's adoption deprives Counties like mine, and perhaps yours, the ability to put before their people an opportunity to drastically reduce escalating real property tax bills by supplementing County revenues with a percent or more of all employment income earned in the County; the "host-site" which has infrastructure and public service needs to have met that all employees who work there need and benefit from. I vote AYE and hope one day that upon further study and reflection that a majority of our Legislature will join me in providing this economic parity tool option for our constituencies.—DAVID HALEY

A motion by Senator Sykes to amend **SB 539** failed and the following amendment was rejected; on page 1, by striking all in lines 16 through 18; by striking all in lines 20 through 36;

By striking all on pages 2 through 26; on page 27, by striking all in lines 1 through 6; by striking all floor amendments adopted by the Senate Committee of the Whole on March 14, 2024; also on page 27, following line 6, by inserting:

"Section 1. K.S.A. 2023 Supp. 79-201x is hereby amended to read as follows: 79-201x. (a) For taxable year 2022, ~~and all taxable years thereafter~~, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-5142, and amendments thereto: Property used for residential purposes to the extent of \$40,000 of its appraised valuation.

(b) For taxable year 2023, ~~and all taxable years thereafter~~, the dollar amount of the extent of appraised valuation that is exempt pursuant to subsection (a) shall be adjusted to reflect the average percentage change in statewide residential valuation of all residential real property for the preceding 10 years. Such average percentage change shall not be less than zero. The director of property valuation shall calculate the average percentage change for purposes of this annual adjustment and calculate the dollar amount of the extent of appraised valuation that is exempt pursuant to this section each year the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-

5142, and amendments thereto: Property used for residential purposes to the extent of \$42,049 of its appraised valuation.

(c) For taxable year 2024, and all taxable years thereafter, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-5142, and amendments thereto: Property used for residential purposes to the extent of \$100,000 of its appraised valuation.

Sec. 2. K.S.A. 79-1107 is hereby amended to read as follows: 79-1107. Every national banking association and state bank located or doing business within the state shall pay to the state for the privilege of doing business within the state a tax according to or measured by its net income for the next preceding taxable year to be computed as provided in this act. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(a) (1) For tax year 2023, the normal tax shall be an amount equal to ~~2⁺/₄%~~ 2.25% of such net income;

(2) for tax year 2024, the normal tax shall be an amount equal to 1.94% of such net income; and

(3) for tax year 2025, and all tax years thereafter, the normal tax shall be an amount equal to 1.63% of such net income; and

(b) the surtax shall be an amount equal to ~~2⁺/₄%~~ 2.125% of such net income in excess of \$25,000.

The tax levied shall be in lieu of ad valorem taxes which might otherwise be imposed by the state or political subdivisions thereof upon shares of capital stock or the intangible assets of national banking associations and state banks.

Sec. 3. K.S.A. 79-1108 is hereby amended to read as follows: 79-1108. Every trust company and savings and loan association located or doing business within the state shall pay to the state for the privilege of doing business within the state a tax according to or measured by its net income for the next preceding taxable year to be computed as provided in this act. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(a) (1) For tax year 2023, the normal tax on every trust company and savings and loan association shall be an amount equal to ~~2⁺/₄%~~ 2.25% of such net income;

(2) for tax year 2024, the normal tax shall be an amount equal to 1.93% of such net income; and

(3) for tax year 2025, and all tax years thereafter, the normal tax shall be an amount equal to 1.61% of such net income; and

(b) the surtax on every trust company and savings and loan association shall be an amount equal to ~~2⁺/₄%~~ 2.25% of such net income in excess of \$25,000.

The tax levied shall be in lieu of ad valorem taxes which might otherwise be imposed by the state or political subdivision thereof upon shares of capital stock or other intangible assets of trust companies and savings and loan associations.

Sec. 4. K.S.A. 2023 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident Individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000.....	\$2,925 plus 6.45% of excess over \$60,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000.....	\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over \$30,000

(D) For tax years 2015 and 2016:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.6% of excess over \$30,000

(E) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.9% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$870 plus 4.9% of excess over \$30,000
Over \$60,000.....	\$2,340 plus 5.2% of excess over \$60,000

(F) For tax year years 2018, and all tax years thereafter through 2023:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.1% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$930 plus 5.25% of excess over \$30,000
Over \$60,000.....	\$2,505 plus 5.7% of excess over \$60,000

(B) For tax year 2024, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$900 plus 5.15% of excess over \$30,000
Over \$60,000.....	\$2,445 plus 5.6% of excess over \$60,000

(2) *All other individuals.*

(A) For tax year 2012:

If the taxable income is: _____ The tax is:

Not over \$15,000.....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$525 plus 6.25% of excess over \$15,000
Over \$30,000.....	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000.....	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over \$15,000

(D) For tax years 2015 and 2016:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.6% of excess over \$15,000

(E) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.9% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$435 plus 4.9% of excess over \$15,000
Over \$30,000.....	\$1,170 plus 5.2% of excess over \$30,000

(F) For tax-year years 2018, and all tax years thereafter through 2023:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.1% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$465 plus 5.25% of excess over \$15,000
Over \$30,000.....	\$1,252.50 plus 5.7% of excess over \$30,000

(B) For tax year 2024, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$450 plus 5.15% of excess over \$15,000
Over \$30,000.....	\$1,222.50 plus 5.6% of excess over \$30,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources

within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows unless otherwise modified pursuant to K.S.A. 2023 Supp. 74-50,321, and amendments thereto:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) The surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

(e) Notwithstanding the provisions of subsections (a) and (b): ~~(1) For tax years 2016 and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2), for tax year 2018, and all tax years thereafter, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.~~

~~(f) No taxpayer shall be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.~~

Sec. 5. K.S.A. 79-32,111c is hereby amended to read as follows: 79-32,111c. (a) There shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to 12.5% for tax year 2018; an amount equal to 18.75% for tax year 2019; ~~and an amount equal to 25% for tax-year years 2020 through 2023;~~ and an amount equal to 100% for tax year 2024, and all tax years thereafter, of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to 26 U.S.C. § 21 for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law.

(c) No credit provided under this section shall be allowed to any individual who fails to provide a valid social security number issued by the social security administration, to such individual, the individual's spouse and every dependent of the individual.

Sec. 6. K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from

computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this

subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal

tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the

Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

~~(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and (1) For all taxable years beginning after December 31, 2007, and ending before January 1, 2024, amounts received as benefits under the federal social security act which that are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.~~

(2) For all taxable years beginning after December 31, 2023, amounts received as benefits under the federal social security act that are included in federal adjusted gross income of a taxpayer.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a

dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 7. K.S.A. 2023 Supp. 79-32,119 is hereby amended to read as follows: 79-32,119. (a) The Kansas standard deduction of an individual, including a husband and

wife who are either both residents or who file a joint return as if both were residents, shall be equal to the sum of the standard deduction amount allowed pursuant to this section, and the additional standard deduction amount allowed pursuant to this section for each such deduction allowable to such individual or to such husband and wife under the federal internal revenue code.

(b) For tax year 1998, and all tax years thereafter, the additional standard deduction amount shall be as follows: Single individual and head of household filing status, \$850; and married filing status, \$700.

(c) (1) For tax year 2013 through tax year 2020, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,000; married filing status, \$7,500; and head of household filing status, \$5,500.

(2) For tax-year years 2021, ~~and all tax years thereafter through 2023~~, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,500; married filing status, \$8,000; and head of household filing status, \$6,000.

(3) For tax year 2024, and all tax years thereafter, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$5,000; married filing status, \$10,000; and head of household filing status, \$7,500.

(d) For purposes of this section, the federal standard deduction allowable to a husband and wife filing separate Kansas income tax returns shall be determined on the basis that separate federal returns were filed, and the federal standard deduction of a husband and wife filing a joint Kansas income tax return shall be determined on the basis that a joint federal income tax return was filed.

Sec. 8. K.S.A. 2023 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.5%. On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project.

Such tax shall be imposed upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 79-3673, and amendments thereto, except that telecommunications service does not

include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to

another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" means the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" means only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" means a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land

improvements immediately surrounding such facility;

(4) "residence" means only those enclosures within which individuals customarily live;

(5) "utility structure" means transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" means straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section;

(w) all sales of charitable raffle tickets in accordance with K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(x) commencing on January 1, 2023, and thereafter, the state rate on the gross receipts from the sale of food and food ingredients shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

Sec. 9. K.S.A. 2023 Supp. 79-3603d is hereby amended to read as follows: 79-3603d. (a) There is hereby levied and there shall be collected and paid a tax upon the gross receipts from the sale of food and food ingredients. The rate of tax shall be as follows:

(1) Commencing on January 1, 2023, at the rate of 4%;

(2) commencing on January 1, 2024, at the rate of 2%; and

(3) commencing on ~~January 1, 2025~~ July 1, 2024, and thereafter, at the rate of 0%.

(b) The provisions of this section shall not apply to prepared food unless sold without eating utensils provided by the seller and described below:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);

(2) (A) food sold in an unheated state by weight or volume as a single item; or

(B) only meat or seafood sold in an unheated state by weight or volume as a single item;

(3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or

(4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption.

(c) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 10. K.S.A. 2023 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d),

and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 11. K.S.A. 2023 Supp. 79-3703 is hereby amended to read as follows: 79-3703. (a) There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%.

(b) Commencing on January 1, 2023, and thereafter, the state rate on the amount equal to the consideration paid by the taxpayer from the sale of food and food ingredients as provided in K.S.A. 79-3603, and amendments thereto, shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

(c) On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

(d) Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or

(2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project.

(e) All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 12. K.S.A. 2023 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the

intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 13 K.S.A. 79-1107, 79-1108 and 79-32,111c and K.S.A. 2023 Supp. 79-201x, 79-32,110, 79-32,117, 79-32,119, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 are hereby repealed.";

On page 1, in the title, in line 1, by striking all after the semicolon; by striking all in lines 2 through 12; in line 13, after stricken material by inserting "relating to property tax; increasing extent of exemption for residential property from statewide school levy; relating to privilege tax; decreasing the normal tax rates on banks, trust companies and savings and loan associations; relating to income tax; decreasing tax rates for individuals; increasing the tax credit amount for household and dependent care expenses; eliminating the income limitation to receive the subtraction modification exempting social security benefits; increasing the Kansas standard deduction; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 79-1107, 79-1108 and 79-32,111c and K.S.A. 2023 Supp. 79-201x, 79-32,110, 79-32,117, 79-32,119, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710"

Upon the showing of five hands a roll call vote was requested

On roll call, the vote was: Yeas 14; Nays 26; Present and Passing 0; Absent or Not Voting 0.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pittman, Pyle, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

HB 2036 be amended by adoption of the committee report on **HB 2036** recommending **S Sub HB 2036**.

HB 2229 be passed over and retain a place on the calendar.

HB 2254 be passed over and retain a place on the calendar.

HB 2465 be amended by the adoption of the committee amendments, be further amended by motion of Senator Holland; on page 13, following line 38, by inserting:

"Sec. 4. K.S.A. 2023 Supp. 79-4508a is hereby amended to read as follows: 79-4508a. (a) For tax year 2022, and all tax years thereafter, the amount of any claim pursuant to this section shall be computed by deducting the claimant's base year ad valorem tax amount for the homestead from the claimant's homestead ad valorem tax amount for the tax year for which the refund is sought. This section shall be known and may be cited as the golden years homestead property tax freeze program.

(b) As used in this section:

(1) "Base year" means the year in which an individual becomes an eligible claimant and who is also eligible for a claim for refund pursuant to this section. For any individual who would otherwise be an eligible claimant prior to 2021, such base year shall be deemed to be 2021 for the purposes of this act.

(2) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a person 65 years of age or older or a disabled veteran who was receiving benefits pursuant to this section at the time of the claimant's death shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

(3) "Household income" means all income as defined in K.S.A. 79-4502(a), and amendments thereto, excluding all payments received under the federal social security act received by persons of a household in a calendar year while members of such household.

(c) A claimant shall only be eligible for a claim for refund under this section if:

(1) The claimant's household income for the year in which the claim is filed is \$50,000 or less; and

(2) the appraised value of the claimant's homestead for the base year is ~~\$350,000~~ \$595,000 or less.

The provisions of K.S.A. 79-4522, and amendments thereto, shall not apply to a claim pursuant to this section. In the case of all tax years commencing after December 31, 2022, the upper limit household income threshold amount prescribed in this subsection shall be increased by an amount equal to such threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences. In the case of all base years commencing after December 31, 2021, the upper limit appraised value threshold amount prescribed in this subsection shall be increased each year to reflect the average percentage change in statewide residential valuation of existing residential real property for the preceding 10 years.

(d) A taxpayer shall not be eligible for a homestead property tax refund claim pursuant to this section if such taxpayer has received for such property for such tax year

either: (1) A homestead property tax refund pursuant to K.S.A. 79-4508, and amendments thereto; or (2) the selective assistance for effective senior relief (SAFESR) credit pursuant to K.S.A. 79-32,263, and amendments thereto.

(e) The amount of any claim shall be computed to the nearest \$1.

(f) The household income and appraised value amendments made to this section by this act shall apply retroactively, and the deadline to file claims for tax years 2022 and 2023 shall be extended to on or before April 15, 2025.

(g) The provisions of this section shall be a part of and supplemental to the homestead property tax refund act.;

Also on page 13, in line 39, by striking "and" and inserting a comma; in line 40, before "are" by inserting "and 79-4508a";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "income"; in line 8, after the semicolon by inserting "excluding social security payments from household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased property tax claims; citing the section as the golden years homestead property tax freeze program.;" in line 9, by striking the first "and" and inserting a comma; also in line 9, after "79-32,287" by inserting "and 79-4508a"

HB 2465 be further amended by motion of Senator Holland; by amending the bill as amended by the amendment designated as fa_2024_hb2465_s_3594 adopted by the Senate Committee of the Whole on March 14, 2024, on page 2, in subsection (c)(1) of Sec. 4 in K.S.A. 2023 Supp. 79-4508a, by striking "\$50,000" and inserting "\$80,000"

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Gossage the Senate nonconcurred in the House amendments to **Sub SB 233** and requested a conference committee be appointed.

The President appointed Senators Gossage, Erickson and Pettey as a conference committee on the part of the Senate.

Senator Billinger moved the Senate concur in House amendments to **SB 307**.

SB 307, AN ACT concerning the Kansas fights addiction act; adding for-profit private entities to the definition of "qualified applicant"; authorizing members of the Kansas fights addiction grant review board to be paid subsistence allowances, mileage and other expenses when attending meetings of the board after January 8, 2024; amending K.S.A. 2023 Supp. 75-776 and 75-778 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

The Senate concurred.

FINAL ACTION ON CONSENT CALENDAR

HB 2587 having appeared on the Consent Calendar for the required two full

legislative days without objection from any member, was considered on final action.

HB 2587, AN ACT concerning drainage districts; relating to the governance thereof; authorizing the board of directors of such districts to hold executive sessions in accordance with the open meetings act; amending K.S.A. 24-416 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 500, AN ACT concerning drivers' licenses; relating to failure to comply with a traffic citation; authorizing certain individuals to be eligible for restricted driving privileges; permitting individuals with restricted driving privileges to drive to and from dropping off or picking up children from school or child care, to and from purchasing groceries or fuel and to and from religious worship services; providing for hardship payment plans and waiver of fines; amending K.S.A. 8-286 and 8-2110 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Shallenburger, Steffen.

The bill passed, as amended.

SB 514, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 76-775, 76-7,107, 79-2959, 79-2964, 79-2989, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 24; Nays 15; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Petersen, Pettey, Pittman, Reddi, Ryckman, Thompson, Ware, Wilborn.

Nays: Baumgardner, Erickson, Francisco, Haley, Holland, Holscher, O'Shea, Olson, Peck, Pyle, Shallenburger, Steffen, Straub, Tyson, Warren.

Present and Passing: Sykes.

The Call was lifted.

Without objection, Senator Sykes passed on **SB 514**.

EXPLANATION OF VOTE

I vote NO on **SB 514**. Giving \$28 million to the organizers of the 2026 World Cup Games in Kansas City is yet another sorry example of the Kansas Statehouse once again shoveling so-called “economic development incentives” to the special interests while critical needs of our Kansas citizens go unfilled.—TOM HOLLAND

Senator Straub requests the record to show she concurs with the “Explanation of Vote” offered by Senator Holland on **SB 514**.

EMERGENCY FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, **Sub SB 60, SB 311, SB 376, SB 480, SB 482, SB 484, SB 498, SB 539; Sub HB 2036; HB 2465** were advanced to Final Action and roll call.

Sub SB 60, AN ACT concerning sales taxation; relating to exemptions; providing exemptions for custom meat processing services, purchases for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf, certain purchases and sales by the Johnson county Christmas bureau association, certain purchases by doorstep inc. and sales of menstrual discharge collection devices and diapers, exploration place, inc. and Kansas children's discovery center, inc.; establishing an exemption for certain sales of school supplies, computers and clothing during an annual sales tax holiday; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson, Steffen.

The substitute bill passed, as amended.

SB 311, AN ACT concerning property taxation; relating to valuation; excluding internal revenue code section 1031 exchange, build-to-suit and sale-leaseback arrangement transactions as indicators of fair market value; amending K.S.A. 79-503a and repealing the existing section.

On roll call, the vote was: Yeas 21; Nays 19; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Dietrich, Erickson, Gossage, Kerschen, Kloos, Masterson, O'Shea, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren.

Nays: Billinger, Corson, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, Olson, Pettey, Pittman, Reddi, Shallenburger, Sykes, Ware, Wilborn.

The bill passed, as amended.

EXPLANATION OF VOTE

SB 311 seeks to reverse the Kansas Supreme Court's decision to reject the "dark store" theory of valuing commercial property. If **SB 311** becomes law, millions of dollars in property tax revenue generated from commercial properties will disappear. This would significantly shift the property tax burden to residential homeowners, simply to benefit large commercial enterprises that are often owned by companies from outside Kansas. There was no hearing on this portion of **SB 311**, which was added to the bill just yesterday. Therefore, there's no fiscal note on the devastating impact this will have on all levels of Kansas government, and there was no chance for any parties to weigh in on this legislation.—*ETHAN CORSON*

Senators Francisco, Haley, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Corson on **SB 311**.

SB 376, AN ACT concerning income taxation; relating to credits; extending the time period for the single city port authority credit; amending K.S.A. 2023 Supp. 79-32,212 and repealing the existing section.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: McGinn, O'Shea, Olson, Steffen, Straub.

The bill passed, as amended.

SB 480, AN ACT concerning taxation; relating to the state board of tax appeals; authorizing teleconference or video conference hearings in the small claims and expedited hearings division; amending K.S.A. 2023 Supp. 74-2433f and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson.

The bill passed.

SB 482, AN ACT concerning property taxation; relating to tax levy rates; providing that county clerks are not required to send revenue neutral rate notices to property owners of exempt property; modifying and prescribing the contents of the revenue neutral rate public hearing notice; permitting a tax levy that generates the same amount of revenue as the previous year when the final assessed valuation decreases compared to the estimated assessed valuation; requiring that the governing body's vote be conducted on the same day as the commencement of the public hearing; amending K.S.A. 2023 Supp. 79-2988 and repealing the existing section.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 32; Nays 8; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Francisco, Holscher, McGinn, Olson, Pettey, Shallenburger, Sykes, Ware.

The bill passed, as amended.

The Call was lifted.

SB 484, AN ACT concerning property taxation; relating to exemptions; providing exemptions for certain personal property including watercraft, marine equipment, off-road vehicles, motorized bicycles and certain trailers; amending K.S.A. 79-213 and 79-5501 and repealing the existing sections.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Baumgardner, Blasi, Bowers, Claeys, Corson, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Holscher, Kloos, Masterson, Peck, Petersen, Pettey, Pittman, Pyle, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Alley, Billinger, Dietrich, Francisco, Kerschen, Longbine, McGinn, O'Shea, Olson, Reddi, Ryckman.

The bill passed, as amended.

The Call was lifted.

SB 498, AN ACT concerning taxation; relating to income, privilege and premium tax credits; establishing a credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities; increasing the tax credit amount for adoption expenses and making the credit refundable; relating to sales and compensating use tax; providing for a sales tax exemption for purchases by pregnancy resource centers and residential maternity facilities; amending K.S.A. 79-32,202a and K.S.A. 2023 Supp. 79-3606 and repealing the existing sections.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Haley, Holland, Holscher, McGinn, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

The Call was lifted.

SB 539, AN ACT concerning taxation; relating to income tax; modifying tax rates for individuals; increasing the Kansas standard deduction and the Kansas personal exemption; eliminating the income limitation to receive the subtraction modification exempting social security benefits; establishing a child tax credit; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; relating to sales and

compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2023 Supp. 79-201x, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Holland, Holscher, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

The Call was lifted.

EXPLANATION OF VOTE

Having voted to “Pass” on affirmation or denial of this long-debated, and pondered, tax bill, a Call of the Senate compelling me to “choose” will now produce a “no” on this bill; a reluctant “no” though at that. As this bill continues to make its way through the process; no doubt to a Governor’s veto and back, my consternation for immediate and significant tax-relief for ALL Kansans remains paramount. With all deliberate speed, we should cut social-security taxes, deduct the first \$100,000 in residential appraisal from taxation, accelerate the food sales and change the income exemptions immediately. The devil in the details of an inequitable single rate (or “flat-tax”) equation should be resolved from the 5.7 to, arguably, a 6.25% or better for my solid support; along with significant exemptions for middle-income earners as opposed to the practically non-measurable ones there in **SB 539** now. Rumor has it I actually voted For this measure today. I contend I voted Against it today; albeit ambiguously, reluctantly, merely compelled to.—**DAVID HALEY**

The idea that changing the structure of our tax system from three tiers to one tier gives inherent advantage is a fallacy in my mind; similar tax certainty can be had with the current three tier system. The current posture of **SB 539** is an attempt to replicate our current limited progressive tax structure using exemptions combined with a higher flat rate with decreasing yearly rates that appear to give the most benefits to the most wealthy. There was a compromise offered that gave significant tax cuts on property, social security, food and even income tax. This body can come up with a compromise that meets the needs of our citizens by continuing to work together and not deal with absolutes. I vote no on **SB 539**.—**JEFF PITTMAN**

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pittman on **SB 539**.

S Sub HB 2036, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for certain purchases by disabled veterans of the armed forces of the United States.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: McGinn, Steffen.

The substitute bill passed.

EXPLANATION OF VOTE

Senate Substitute for HB 2036 is a win for our disabled veterans. I was proud to be a bipartisan co-sponsor on the original bill **SB 58** giving critical sales tax exemptions on key goods. Sales tax cuts help the most needed. With that said, there still needs to be done to help this same group with property tax relief, as we have potentially done on with the current amendments we did this evening on **HB 2465** and more. I vote Aye.—JEFF PITTMAN

I voted YES on **S Sub HB 2036** because it provides sales tax relief for disabled veterans, however **HB 2036** passed in the House with a 123-1 vote which exempts property taxes for disabled veterans. My constituents include Fort Riley, military families, and disabled veterans. I received an overwhelming number of emails to support **HB 2036** for property tax relief, instead with the “gut and go” element of legislation the bill was replaced with another bill. The process creates confusion and is deceptive to the public.—USHA REDDI

HB 2465, AN ACT concerning taxation; relating to the salt parity act; clarifying the determination of taxable income of an electing pass-through entity; providing for the passing through of tax credits to electing pass-through entity owners; relating to Kansas adjusted gross income; providing subtraction modifications for certain federal credit disallowances and the employee retention credit disallowance and to permit the carryforward of certain net operating losses; clarifying the disallowed business interest expense deduction; excluding social security payments from household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased property tax claims; citing the section as the golden years homestead property tax freeze program; amending K.S.A. 2023 Supp. 79-32,117, 79-32,284, 79-32,287 and 79-4508a and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: McGinn, Olson.

The bill passed, as amended.

EXPLANATION OF VOTE

I appreciate the amendments we have made to **HB 2465**, increasing the number of disabled veterans who will be able to realize property tax relief by increasing the eligibility income and property tax limits for tax freezes. I vote Aye.—JEFF PITTMAN

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pittman on **HB 2465**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **HB 2317** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2317," as follows:

"Senate Substitute for HOUSE BILL NO. 2317

By Committee on Assessment and Taxation

"AN ACT concerning sales taxation; relating to exemptions; providing a sales tax exemption for sales of over-the-counter drugs; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section.";

And the substitute bill be passed.

Committee on **Commerce** recommends **HB 2745**, As Amended by House Committee, be passed.

Also, **HB 2790**, As Amended by House Committee, be amended on page 1, in line 17, by striking "March" and inserting "January";

On page 4, in line 5, by striking "March" and inserting "January";

On page 7, in line 24, by striking "March" and inserting "January";

On page 8, in line 11, by striking "March" and inserting "January"; in line 40, by striking "March" and inserting "January";

On page 9, in line 39, by striking "March" and inserting "January";

On page 10, in line 3, by striking "March" and inserting "January";

On page 1, in the title, in line 5, by striking "March" and inserting "January"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2703** be passed.

Committee on **Public Health and Welfare** recommends **HB 2629**, As Amended by House Committee, be amended on page 2, in line 7, by striking all after the period; by striking all in line 8; in line 9, by striking all before the period and inserting "Once the autopsy has been completed, the coroner shall immediately notify the parent or legal guardian that such autopsy has been completed and provide information on how to obtain the results"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2481**, As Amended by House Committee, be amended on page 1, following line 21, by inserting:

"New Sec. 3. Bridge No. 160-96-293.72 located on United States highway 160 in Sumner county is hereby designated as the SrA Derek Scott Martin memorial bridge. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that such bridge is the SrA Derek Scott Martin memorial bridge.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 3, after the semicolon by inserting "designating bridge No. 160-96-293.72 in Sumner county as the SrA Derek Scott Martin memorial

bridge;"; and the bill be passed as amended.

Also, **HB 2498** be amended on page 2, following line 35, by inserting:

"Sec. 2. (a) On and after January 1, 2025, license plates furnished for a motor vehicle and issued by the division of vehicles shall have designated the county of registration for such motor vehicle. The director of vehicles may either print the abbreviation of the county of registration directly on the license plate or affix to the license plate by a decal the abbreviation of the county of registration. Except as otherwise provided in subsection (b), the provisions of this section shall apply to:

(1) Any passenger vehicle or truck as defined in K.S.A. 8-126, and amendments thereto, that is subject to taxation pursuant to K.S.A. 79-5101 et seq., and amendments thereto; or

(2) any vehicle that displays a distinctive or personalized license plate.

(b) The provisions of this section shall not apply to distinctive license plates designating a person as a recipient of the congressional medal of honor issued pursuant to K.S.A. 8-1,145, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "plate" by inserting "; requiring certain license plates to have the county of registration for the motor vehicle identified on the plate"; and the bill be passed as amended.

Committee on **Utilities** recommends **HB 2590** be passed.

Committee on **Ways and Means** recommends **SB 524** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, March 15, 2024.

Journal of the Senate

FORTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 15, 2024, 9:00 a.m.

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

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **HB 2521, HB 2705.**

Financial Institutions and Insurance: **SB 553.**

Ways and Means: **SB 552; HB 2491, HB 2551.**

TRIBUTES

The Committee on Organization, Calendar, and Rules authorizes the following tributes for the week of March 11 through March 15, 2024:

Senator Billinger: congratulating the Cheylin H.S. Football Team on winning the 2023 6-Player State Championship, congratulating the Hoxie H.S. Wrestling Team on winning the 2024 3-1A State Championship, congratulating the Quinter H.S. Boys Cross Country Team on winning the 2023 1A State Championship, congratulating the Northern Valley H.S. Cheerleading Team on winning the 2023 1A State Championship; and

Senator Bowers: congratulating Maureen Crist on receiving the 2024 Marysville Chamber and Main Street Volunteer of the Year Award, congratulating Jimmy Keller on receiving the 2024 Marysville Chamber and Main Street Black Squirrel of the Year Award, congratulating Farmer and Florist on receiving the 2024 Marysville Chamber and Main Street Business Design and Beautification Award, congratulating Woody Walstrom on receiving the 2024 Marysville Chamber and Main Street Outstanding Customer Service Award, congratulating Temps Disposal Service on receiving the 2024 Marysville Chamber and Main Street Small Business of the Year Award, congratulating Landoll Company on receiving the 2024 Marysville Chamber and Main Street Business of the Year Award, congratulating the Frankfort H.S. Girls Basketball Team on winning the 2024 1A Division I State Championship, congratulating the Hanover H.S. Girls Basketball Team on winning the 2024 1A Division II State Championship.

MARCH 15, 2024

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On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Monday, March 18, 2024.

Journal of the Senate

FORTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 18, 2024, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 35 senators present.
Senators Claeys, Haley, Holland, Pyle and Steffen were excused.
Invocation by Reverend Cecil T. Washington:

How To Formulate And Build For Success
Luke 6:46-49

Heavenly Father, in the parable of the wise and foolish builders, Luke 6:46-49, a comparison is made between those of us that truly look to You for guidance versus those of us that only fake it, those who actually walk it vs. those who just talk it. In the analogy, You share that two houses were built. It contrasts two builders, one foolish and one wise.

Lord, as we develop and shape things for the future, help us to exercise wisdom and be guided by Your building codes. The foolish builder ignored your design, and the house he built collapsed. But in listening to You, the wise builder closely followed Your direction and the house he built stood strong. Energy was expended and two houses were actually built. While contrasting efforts were laid out, one was destined for success, the other destined for failure.

Lord, You show us the wisdom of the successful builder in three ways: 1) he came to You, the SOURCE of Godly Wisdom, seeking guidance from Your Holy Word; 2) he listened to You with ears to hear Your instructions and, 3) he did what You told Him, in the way that You told Him, living it out.

I thank You Lord for You are the Architect, the Designer, the Engineer that we must turn to for guaranteed success in all that we're trying to accomplish.

I offer this prayer in the beloved Name of Jesus, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 554, AN ACT concerning health and healthcare; relating to certain definitions; providing that a fertilized human ovum or embryo existing outside of the uterus of a human body shall not be considered an unborn child or human being, by Committee on Federal and State Affairs.

SB 555, AN ACT concerning health and healthcare; relating to medical cannabis; creating the medical cannabis pilot program act; authorizing the secretary of health and environment to enter into contracts for the limited cultivation, processing and distribution of medical cannabis for patient use upon a physician's recommendation; imposing terms and conditions for such contracts; establishing requirements for physician certifications recommending medical cannabis use; levying an excise tax on the retail sale of medical cannabis; establishing the medical cannabis refund fund and the medical cannabis research and education fund; creating the crime of unlawful storage of medical cannabis; making exceptions to the crimes of unlawful manufacture and possession of controlled substances; amending K.S.A. 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 23-3201, 38-2269, 44-501, 79-5201 and 79-5210 and K.S.A. 2023 Supp. 65-1120 and 65-28b08 and repealing the existing sections, by Committee on Federal and State Affairs.

MESSAGES FROM THE GOVERNOR

SB 195 approved on March 15, 2024.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2781**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2781 was thereupon introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2105**.

The Vice President appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 340** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **HB 2232** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2232," as follows:

"Senate Substitute for HOUSE BILL NO. 2232

By Committee on Assessment and Taxation

"AN ACT concerning income taxation; relating to certain net operating losses; allowing a carryback on loss from the sale of certain historic hotels; amending K.S.A. 2023 Supp. 79-32,143 and repealing the existing section.";

And the substitute bill be passed.

Committee on **Education** recommends **SB 532** be amended on page 1, in line 29, after "(b)" by inserting "Each provision of sections 1 through 7, and amendments

thereto, that requires the expenditure of moneys shall be subject to legislative appropriations therefor.

(c)";

On page 2, in line 17, after "education" by inserting ", appointed pursuant to section 3, and amendments thereto,";

On page 3, in line 12, after "(2)" by inserting "Except for the director of literacy education,"; in line 34, after "to" by inserting "at least 50% of students in each of the grades three through eight achieving level 3 or above and at least"; also in line 34, by striking "Kansas fourth graders" and inserting "students in each of the grades three through eight";

On page 4, in line 3, by striking "and"; in line 4, after "(7)" by inserting "report to the legislature on English language arts state assessment progress for each grade level and all defined subgroups, including, but not limited to, English language learners, students receiving free meals pursuant to the national school lunch act, students in the custody of the secretary for children and families and race and ethnicity subgroups, at the following times each calendar year:

(A) Once on or before February 1 to the senate committee on education and the house of representatives committee on education;

(B) once on or before May 1 to the senate committee on education and the house of representatives committee on education; and

(C) once on or before December 1 to any interim, special, or select committee, task force or commission that has membership that includes legislators, is related to education, has been approved by the legislative coordinating council and requests such report; and

(8)";

Also on page 4, in line 7, after "(d)" by inserting "The committee shall be subject to the Kansas open records act, K.S.A. 45-419 et seq., and amendments thereto, and the Kansas open meetings act, K.S.A. 75-4317 et seq., and amendments thereto. The committee shall publish each meeting agenda and any available meeting documents online prior to each scheduled meeting of the committee.

(e)";

Also on page 4, in line 14, by striking "(e)" and inserting "(f)"; in line 31, by striking "ex officio"; in line 35, after the second "the" by inserting "Kansas"; in line 36, by striking "Kansas"; in line 39, by striking "postsecondary" and inserting "state"; in line 41, after "(6)" by inserting "encourage independent institutions referred to in section 1(c)(2)(C), and amendments thereto, to use such tier I methodologies;

(7)";

On page 5, in line 14, by striking "state board's"; also in line 14, after "progress" by inserting "of the state board of regents";

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

Also on page 5, in line 26, by striking "by each school district" and inserting "in teacher preparation programs"; in line 31, by striking all after "available"; in line 32, by striking "districts"; in line 41, by striking all after "to"; in line 42, by striking all before the semicolon and inserting "the state board of education";

On page 6, in line 1, by striking "postsecondary" and inserting "state"; in line 2, by striking all after "(3)"; in line 3, by striking all before the period and inserting "On or

before July 1, 2025, no school district shall use any textbooks or instructional materials that utilize:

- (A) The three-cueing system model of reading;
- (B) visual memory as the primary basis for teaching word recognition; or
- (C) the three-cueing system model of reading based on meaning, structure and syntax and visual cues, commonly known as MVS";

Also on page 6, in line 6, by striking all after "the"; in line 7, after "progress" by inserting "of the state board of regents"; in line 12, by striking "or certification"; also in line 12, after "for" by inserting "in-service"; in line 13, after "teachers" by inserting "or certification requirements for pre-service teachers at state educational institutions"; also in line 13, by striking all after "literacy"; by striking all in lines 14 and 15; in line 16, by striking "thereto"; in line 23, after "programs" by inserting "at state educational institutions"; in line 39, after "programs" by inserting "at state educational institutions";

On page 7, in line 3, by striking "Kansas"; in line 16, by striking "Kansas";

On page 1, in the title, in line 4, by striking all after "system"; in line 5, by striking "districts"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2560** be amended on page 6, in line 35, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **HB 2562** be amended on page 9, in line 21, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2577, As Amended by House Committee of the Whole, be amended on page 4, in line 19, by striking "Kansas register" and inserting "statute book"; and the bill be passed as amended.

HB 2663 be amended on page 3, in line 2, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2557** be passed.

Committee on **Public Health and Welfare** recommends **SB 371** be amended on page 1, in line 13, after "of" by inserting "the following people may promptly be broadcast and a search may be timely undertaken with the cooperation of local law enforcement, news media and the general public in order to locate such person in time to avoid serious harm or death:

(1)"; in line 14, after the first "person" by inserting a semicolon; also in line 14, after the first "or" by inserting:

"(2)";

Also on page 1, in line 15, by striking "who" and inserting "":

(A)"; also in line 15, after "has" by inserting "been diagnosed with"; also in line 15, by striking all after "disability"; by striking all in lines 16 and 17; in line 18 by striking all before the period and inserting "":

(B) whose whereabouts are unknown;

(C) is believed to be in imminent danger of serious bodily injury or death because of such disability; and

(D) is believed to be unable to return to safety without assistance";

Also on page 1, in the title, in line 3, after "have" by inserting "been diagnosed with"; also in line 3, after "disability" by inserting "and are in certain dangerous circumstances"; and the bill be passed as amended.

Also, **SB 488** be amended on page 4, in line 39, after the comma by inserting "and as

provided further."; in line 40, after "hire" by inserting "not more than five"; also in line 40, by striking all after "service"; in line 41, by striking all before the period;

On page 5, in line 3, after the period by inserting "During fiscal year 2025, moneys expended by the attorney general for the office of the inspector general shall not exceed \$775,456. The attorney general shall not authorize more than five full-time employees in fiscal year 2025 in the office of the inspector general."; in line 26, after "(d)" by inserting "(1)";

Also on page 5, in line 38, before "State" by inserting:

"(2) Access to contractor or healthcare provider files shall be limited to those files necessary to verify the accuracy of the contractor's or healthcare provider's invoices or their compliance with the contract provisions or program requirements. No healthcare provider shall be compelled under the provisions of this section to provide individual medical records of patients who are not clients of a state health assistance program.";

On page 6, in line 43, by striking "and";

On page 7, in line 3, by striking the period and inserting: "; and"

Following line 7, by inserting:

"(6) Access to contractor files shall be limited to those files necessary to verify the accuracy of the contractor's invoices or its compliance with the contract provisions. No healthcare provider shall be compelled to provide individual medical records of patients who are not clients of such a program or programs.";

On page 9, following line 42, by inserting:

"(p) The amendments made by this act to this section shall expire on July 1, 2028."; and the bill be passed as amended.

Committee on **Utilities** recommends **HB 2690**, As Amended by House Committee, be amended on page 1, in line 32, by striking "a fire chief" and inserting "the Kansas state association of fire chiefs"; in line 34, after "Kansas" by inserting "board of";

On page 2, in line 1, by striking "board";

On page 3, in line 13, after the period by inserting "This paragraph shall not apply to the members appointed pursuant to subsection (a)(2).";

On page 4, in line 11, by striking "and"; in line 12, after "(5)" by inserting "enter into and support agreements for the interstate and interlocal interconnection of ESInet service; and

(6)";

On page 5, in line 40, by striking the first "county" and inserting "governing body"; also in line 40, by striking the second "county" and inserting "governing body of a PSAP"; in line 43, by striking "county" and inserting "governing body";

On page 6, in line 4, by striking the first "county" and inserting "governing body"; also in line 4, by striking the second "county" and inserting "governing body of a PSAP"; in line 6, by striking "or county and" and inserting a comma; in line 7, after the first "PSAP" by inserting "and, if applicable, the governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services"; also in line 7, by striking "county" and inserting "governing body"; in line 10, by striking "county" and inserting "governing body"; in line 11, by striking "county" and inserting "governing body"; in line 14, by striking the first "county" and inserting "governing body"; also in line 14, by striking the second "county" and inserting "governing body of a PSAP"; in line 16, by striking "or county" and inserting ", the PSAP and, if applicable, the governing body that contracts with another governing body of a PSAP for the

provision of 911 PSAP services"; in line 17, by striking "county" and inserting "governing body"; in line 20, by striking "county" and inserting "governing body"; in line 21, by striking "county" and inserting "governing body of a PSAP"; in line 23, by striking "or county" and inserting ", the PSAP and, if applicable, the governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services"; in line 24, by striking "county" and inserting "governing body"; in line 27, by striking "county" and inserting "governing body"; in line 28, by striking "county" and inserting "governing body"; in line 33, after "PSAP" by inserting "or the governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services";

On page 9, in line 21, by striking all after "On"; in line 22, by striking all before the second comma and inserting "or before the 15th day of each month"; in line 23, after "a" by inserting "monthly"; in line 32, by striking "12" and inserting "31"; in line 34, by striking all after "transactions"; in line 35, by striking all before the second "and" and inserting "reported in such monthly reports"; following line 40, by inserting:

"(c) This section shall expire on February 1, 2026.";

Also on page 9, in line 41, by striking "On and after July 1, 2024,";

On page 12, in line 24, before "K.S.A." by inserting "On and after July 1, 2024,"; in line 28, by striking the first "counties" and inserting "governing bodies"; also in line 28, by striking "other counties" and inserting "another governing body of a PSAP";

On page 14, in line 5, after the period by inserting "This paragraph shall not apply to the members appointed pursuant to subsection (a)(3)."; in line 42, by striking "counties" and inserting "governing bodies"; also in line 42, by striking "other"; in line 43, by striking "counties" and inserting "another governing body of a PSAP";

On page 15, in line 14, by striking the first "counties" and inserting "governing bodies"; also in line 14, by striking "other counties" and inserting "another governing body of a PSAP"; in line 29, by striking the first "county" and inserting "governing body"; also in line 29, by striking the second "county" and inserting "governing body of a PSAP"; in line 32, by striking "or county" and inserting ", the PSAP and, if applicable, the governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services"; in line 33, by striking "county" and inserting "governing body"; in line 35, by striking "county" and inserting "governing body"; in line 40, by striking "county" and inserting "governing body"; in line 41, by striking "county" and inserting "governing body";

On page 16, in line 1, by striking "county" and inserting "governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services"; in line 32, by striking the first "county" and inserting "governing body"; also in line 32, by striking the second "county" and inserting "governing body of a PSAP"; in line 34, by striking "county" and inserting "governing body"; in line 39, by striking the first "county" and inserting "governing body"; also in line 39, by striking the second "county" and inserting "governing body of a PSAP"; in line 41, by striking "or county and" and inserting a comma; in line 42, by striking the first "county" and inserting "governing body"; also in line 42, by striking "or county" and inserting "governing body";

On page 17, in line 1, by striking "county" and inserting "governing body"; in line 3, by striking "county" and inserting "governing body"; in line 20, by striking the first "counties" and inserting "governing bodies"; also in line 20, by striking "other counties"

and inserting "another governing body of a PSAP";

On page 20, in line 13, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 27, in line 29, by striking "the counties" and inserting "governing bodies and PSAPs"; in line 34, by striking "PSAP"; in line 35, by striking all before the period and inserting "governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services"; in line 38, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 28, in line 3, by striking the first "counties" and inserting "governing bodies"; also in line 3, by striking "other counties" and inserting "another governing body of a PSAP"; in line 4, by striking "pursuant to this section"; in line 5, by striking the second "county" and inserting "governing body"; in line 6, by striking "county" and inserting "governing body of a PSAP"; in line 12, by striking "82%" and inserting "85%"; in line 13, by striking "85%" and inserting "88%"; in line 14, by striking "88%" and inserting "91%"; in line 15, by striking "91%" and inserting "94%"; in line 16, by striking "94%" and inserting "97%"; by striking all in line 17; in line 18, by striking "25,000" and inserting "35,000"; in line 19, by striking all after "(2)"; by striking all in line 20; in line 21, by striking all before the period and inserting "If the calculated amount for distribution within a county is less than \$70,000, the \$70,000 shall be distributed for services within that county.

(3) If there is a single PSAP providing services for a county, such PSAP shall receive the governing body's distribution, if any";

Also on page 28, also in line 21, by striking "the"; by striking all in line 22; in line 23, by striking all before "shall" and inserting "distributions to each PSAP"; in line 24, after the period by inserting:

"(4)";

Also on page 28, in line 27, by striking "county" and inserting "governing body"; in line 36, by striking "counties" and inserting "governing bodies of PSAPs"; in line 42, by striking "county" and inserting "governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services"; in line 43, by striking "counties" and inserting "governing bodies";

On page 29, by striking all in lines 8 through 45;

On page 30, by striking all in lines 1 through 33; following line 33, by inserting:

"Sec. 24. On and after July 1, 2025, K.S.A. 12-5374, as amended by section 23 of this act, is hereby amended to read as follows: 12-5374. (a) (1) Except for the amounts withheld by the LCPA pursuant to K.S.A. 12-5368(b), and amendments thereto, and any amounts withheld pursuant to ~~K.S.A. 12-5364(f)~~ section 4, and amendments thereto, not later than 30 days after the receipt of 911 fees from providers pursuant to K.S.A. 12-5370, and amendments thereto, and prepaid wireless 911 fees from the department pursuant to K.S.A. 12-5372, and amendments thereto, the LCPA shall distribute such moneys to the PSAPs or to governing bodies that contract with another governing body of a PSAP for the provision of 911 PSAP services. The amount of money distributed to the PSAPs in each county, or to any governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services, shall be based upon the amount of 911 fees collected from service users located in that county, based on place of primary use information provided by the providers, by using the following distribution method:

Population of county	Percentage of collected 911 fees to distribute
Over 80,000.....	85%
65,000 to 79,999.....	88%
55,000 to 64,999.....	91%
45,000 to 54,999.....	94%
35,000 to 44,999.....	97%
Less than 35,000.....	100%

(2) If the calculated amount for distribution within a county is less than \$70,000, the \$70,000 shall be distributed for services within that county.

(3) The state 911 board may increase the minimum county distribution amount not more than once per calendar year by an amount that shall not exceed the minimum county distribution amount established for the preceding calendar year multiplied by the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor for the preceding calendar year. Prior to increasing the minimum county distribution amount, the state 911 board shall evaluate:

(A) Whether an increase is needed based on the expenditures of the counties that are subject to such minimum distribution; and

(B) the impact of any such proposed increase to the long-term financial stability of all other distributions made pursuant to this section.

(4) If there is a single PSAP providing services for a county, such PSAP shall receive the governing body's distribution, if any. If there is more than one PSAP in a county then distributions to each PSAP shall be proportionately divided between the PSAPs in the county.

~~(4)~~(5) All moneys remaining after distribution, moneys withheld pursuant to K.S.A. 12-5368(b)(1), and amendments thereto, and any moneys that cannot be attributed to a specific PSAP or governing body shall be transferred to the 911 operations fund.

(b) All fees remitted to the LCPA shall be deposited in the 911 state fund and for the purposes of this act be treated as if they are public funds, pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and amendments thereto.

(c) All moneys in the 911 state fund that have been collected from the prepaid wireless 911 fee shall be deposited in the 911 operations fund unless \$3 million of such moneys have been deposited in any given year then all remaining moneys shall be distributed to the governing bodies of PSAPs in an amount proportional to each county's population as a percentage share of the population of the state. If there is more than one PSAP in a county, such moneys shall be distributed to each PSAP in an amount proportional to the PSAP's population as a percentage share of the population of the county. If there is no PSAP within a county, then such moneys shall be distributed to the governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services. Moneys distributed to governing bodies and PSAPs pursuant to this section only shall be used for the uses authorized in K.S.A. 12-5375, and amendments thereto.

(d) The LCPA shall keep accurate accounts of all receipts and disbursements of moneys from the 911 fees.

(e) Records provided by any provider to the LCPA or to the ~~state~~ 911-coordinating council board pursuant to this act shall be treated as proprietary records and shall be

withheld from the public upon request of the provider submitting such records.";

On page 32, by striking all in lines 4 through 43;

On page 33, by striking all in lines 1 through 37; following line 37, by inserting:

"Sec. 25. On and after January 1, 2026, K.S.A. 12-5374, as amended by section 24 of this act, is hereby amended to read as follows: 12-5374. (a) (1) Except for the amounts withheld by the LCPA pursuant to K.S.A. ~~12-5368(b)~~ 12-5368, and amendments thereto, and any amounts withheld pursuant to section 4, and amendments thereto, not later than 30 days after the receipt of 911 fees from providers pursuant to K.S.A. 12-5370, and amendments thereto, and prepaid wireless 911 fees from the department pursuant to K.S.A. 12-5372, and amendments thereto, the LCPA state 911 board shall distribute such moneys to the PSAPs or to governing bodies that contract with another governing body of a PSAP for the provision of 911 PSAP services. The amount of money distributed to the PSAPs in each county, or to any governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services, shall be based upon the amount of 911 fees collected from service users located in that county, based on place of primary use information provided by the providers, by using the following distribution method:

Population of county	Percentage of collected 911 fees to distribute
Over 80,000.....	85%
65,000 to 79,999.....	88%
55,000 to 64,999.....	91%
45,000 to 54,999.....	94%
35,000 to 44,999.....	97%
Less than 35,000.....	100%

(2) If the calculated amount for distribution within a county is less than \$70,000, the \$70,000 shall be distributed for services within that county.

(3) The state 911 board may increase the minimum county distribution amount not more than once per calendar year by an amount that shall not exceed the minimum county distribution amount established for the preceding calendar year multiplied by the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor for the preceding calendar year. Prior to increasing the minimum county distribution amount, the state 911 board shall evaluate:

(A) Whether an increase is needed based on the expenditures of the counties that are subject to such minimum distribution; and

(B) the impact of any such proposed increase to the long-term financial stability of all other distributions to PSAPs and counties made pursuant to this section.

(4) If there is a single PSAP providing services for a county, such PSAP shall receive the governing body's distribution, if any. If there is more than one PSAP in a county then distributions to each PSAP shall be proportionately divided between the PSAPs in the county.

(5) ~~All moneys remaining after distribution, moneys withheld pursuant to K.S.A. 12-5368(b)(1), and amendments thereto, and any moneys that cannot be attributed to a specific PSAP or governing body shall be transferred to the 911 operations fund.~~ After each distribution that is made pursuant to this section, the state 911 board or LCPA shall

certify to the director of accounts and reports the total amount of unencumbered moneys remaining in the state 911 fund and the amount of moneys that could not be attributed to a specific PSAP or governing body. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state 911 fund to the state 911 operations fund.

~~(b) All fees remitted to the LCPA shall be deposited in the 911 state fund and for the purposes of this act be treated as if they are public funds, pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and amendments thereto.~~

~~(c) All moneys in the 911 state fund that have been collected from the prepaid wireless 911 fee shall be deposited in the 911 operations fund unless \$3 million of such moneys have been deposited in any given year then all remaining moneys shall be distributed to the governing bodies of PSAPs in an amount proportional to each county's population as a percentage share of the population of the state. If there is more than one PSAP in a county, such moneys shall be distributed to each PSAP in an amount proportional to the PSAP's population as a percentage share of the population of the county. If there is no PSAP within a county, then such moneys shall be distributed to the governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services. Moneys distributed to governing bodies and PSAPs pursuant to this section only shall be used for the uses authorized in K.S.A. 12-5375, and amendments thereto.~~

~~(d) The state 911 board and the LCPA shall keep accurate accounts of all receipts and disbursements of moneys from the 911 fees.~~

~~(e)(c) Records provided by any provider to the LCPA or to the state 911 board pursuant to this act shall be treated as proprietary records and shall be withheld from the public upon request of the provider submitting such records."~~

Also on page 33, in line 38, before "K.S.A." by inserting "On and after July 1, 2024,"; in line 40, by striking "counties" and inserting "governing bodies"; in line 43, by striking "counties" and inserting "governing bodies";

On page 34, in line 9, by striking "or"; in line 10, after "(H)" by inserting "maintenance and updates that are necessary to maintain accurate GIS data;

(I) emergency repair or replacement of a radio tower; or

(J);

Also on page 34, in line 17, by striking the first "county" and inserting "governing body"; also in line 17, by striking the second "county" and inserting "governing body of a PSAP"; in line 18, after "to" by inserting "any"; also in line 18, by striking "county" and inserting "governing body"; in line 20, after the period by inserting "If a governing body serves as the provider of PSAP services for another governing body, both governing bodies shall enter into a contract or memorandum of agreement that addresses contingency plans and overflow arrangements. Any such contract or memorandum of agreement shall be reviewed by the 911 coordinating council with respect to the provisions that relate to contingency plans and overflow arrangements or that may conflict with the function of the statewide 911 system. If the 911 coordinating council determines that any such provisions are not acceptable, the 911 coordinating council and the governing bodies shall collaborate and work to resolve such concerns prior to the effective date of such contract or memorandum of agreement. Any governing body contracting with another governing body of a PSAP for the provision of 911 PSAP services shall establish in the contract or memorandum of agreement an

agreed upon percentage of the governing body's distribution amount for the LCPA to distribute to the governing body of the PSAP that is providing the 911 services."; in line 22, by striking "county" and inserting "governing body"; in line 23, by striking "county" and inserting "governing body of a PSAP"; in line 28, by striking "county" and inserting "governing body"; in line 35, by striking the first "county" and inserting "governing body"; also in line 35, by striking the second "county" and inserting "governing body of a PSAP"; in line 39, by striking the first "county" and inserting "governing body"; also in line 39, by striking "county's" and inserting "governing body's"; in line 40, by striking "county" and inserting "governing body"; in line 41, by striking "county" and inserting "governing body";

On page 35, in line 1, by striking "county" and inserting "governing body"; in line 2, by striking "county" and inserting "governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services"; in line 4, by striking "county" and inserting "governing body"; in line 7, by striking "county" and inserting "governing body"; in line 12, by striking "county" and inserting "governing body"; in line 14, by striking "county" and inserting "governing body"; by striking all in lines 20 through 43;

By striking all on page 36;

On page 37, by striking all in lines 1 and 2; following line 2, by inserting:

"Sec. 27. On and after July 1, 2025, K.S.A. 12-5375, as amended by section 26 of this act, is hereby amended to read as follows: 12-5375. (a) (1) Moneys distributed to governing bodies and PSAPs pursuant to K.S.A. 12-5374, and amendments thereto, and any interest earned on revenue derived from such moneys, shall be used only for necessary and reasonable costs incurred or to be incurred by governing bodies and PSAPs for:

- (A) Implementation of 911 services;
- (B) purchase of 911 equipment and upgrades;
- (C) maintenance and license fees for 911 equipment;
- (D) training of personnel, not to include salaries;
- (E) monthly recurring charges billed by service suppliers;
- (F) installation, service establishment and nonrecurring start-up charges billed by the service supplier;
- (G) charges for capital improvements and equipment or other physical enhancements to the 911 system;
- (H) maintenance and updates that are necessary to maintain accurate GIS data;
- (I) emergency repair or replacement of a radio tower; or
- (J) the original acquisition and installation of road signs designed to aid in the delivery of emergency service.

(2) Such costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities. Such costs shall also not include expenditures to purchase, procure, maintain or upgrade subscriber radio equipment.

(3) A governing body may contract with another governing body of a PSAP for the provision of 911 PSAP services provided that the moneys distributed to any such governing body pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used as authorized by this section. If a governing body serves as the provider of PSAP services for another governing body, both governing bodies shall enter into a contract or

memorandum of agreement that addresses contingency plans and overflow arrangements. Any such contract or memorandum of agreement shall be reviewed by the ~~state 911-coordinating-council board~~ with respect to the provisions that relate to contingency plans and overflow arrangements or that may conflict with the function of the statewide 911 system. If the ~~state 911-coordinating-council board~~ determines that any such provisions are not acceptable, the ~~state 911-coordinating-council board~~ and the governing bodies shall collaborate and work to resolve such concerns prior to the effective date of such contract or memorandum of agreement. Any governing body contracting with another governing body of a PSAP for the provision of 911 PSAP services shall establish in the contract or memorandum of agreement an agreed upon percentage of the governing body's distribution amount for the LCPA to distribute to the governing body of the PSAP that is providing the 911 services.

(b) The ~~state 911-coordinating-council board~~ shall, pursuant to rules and regulations, establish a process for a PSAP or governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services, to seek pre-approval of an expenditure. The ~~council state 911 board~~ shall respond in writing to any pre-approval request within 30 days and inform the PSAP stating whether the requested expenditure is approved or disapproved. If the expenditure is disapproved, the written notification shall state the reason for the disapproval and such PSAP or governing body may, within 15 days after service of the notification, make a written request to the ~~council state 911 board~~ to appeal the ~~council's board's~~ decision and for a hearing to be conducted in accordance with the provisions of the Kansas administrative procedure act.

(c) The ~~state 911-coordinating-council board~~ shall annually review expenditures of 911 moneys reported on the annual report for each PSAP or governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services and shall appoint a committee to review such expenditures. If the committee determines that a reported expenditure was not authorized by this act, the committee shall request that the expenditure be refunded by the PSAP or governing body to the PSAP's or governing body's 911 account. If a PSAP or governing body does not concur with the finding of the committee, the PSAP or governing body may request a review of the decision of the committee before the ~~state 911-coordinating-council board~~. If the ~~state 911-coordinating-council board~~, based upon information obtained from an audit, determines that any PSAP or governing body has used any 911 fees for any purpose other than those authorized in this act, the governing body for such PSAP or governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services shall repay all such moneys used for any unauthorized purposes to the 911 fee fund of such PSAP or governing body. Upon a finding that the expenditure was made intentionally for a purpose clearly established as an unauthorized expenditure, the ~~state 911-coordinating-council board~~ may require such PSAP or governing body to pay the lesser of \$500 or 10%, of such misused moneys, to the LCPA for deposit in the 911 state grant fund. No such repayment of 911 fees shall be imposed pursuant to this section except upon the written order of the ~~council state 911 board~~. Such order shall state the unauthorized purposes for which the funds were used, the amount of funds to be repaid and the right of such PSAP or governing body to appeal to a hearing before the Kansas office of administrative hearings. Any such PSAP or governing body may, within 15 days after service of the order, make a written request to the ~~council state 911~~

board for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(d) Any final action of the ~~council~~ state 911 board pursuant to subsection (b) or (c) is subject to review in accordance with the Kansas judicial review act.

Sec. 28. On and after January 1, 2026, K.S.A. 12-5375, as amended by section 27 of this act, is hereby amended to read as follows: 12-5375. (a) (1) Moneys distributed to governing bodies and PSAPs pursuant to K.S.A. 12-5374, and amendments thereto, and any interest earned on revenue derived from such moneys, shall be used only for necessary and reasonable costs incurred or to be incurred by governing bodies and PSAPs for:

- (A) Implementation of 911 services;
- (B) purchase of 911 equipment and upgrades;
- (C) maintenance and license fees for 911 equipment;
- (D) training of personnel, not to include salaries;
- (E) monthly recurring charges billed by service suppliers;
- (F) installation, service establishment and nonrecurring start-up charges billed by the service supplier;
- (G) charges for capital improvements and equipment or other physical enhancements to the 911 system;
- (H) maintenance and updates that are necessary to maintain accurate GIS data;
- (I) emergency repair or replacement of a radio tower; or
- (J) the original acquisition and installation of road signs designed to aid in the delivery of emergency service.

(2) Such costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities. Such costs shall also not include expenditures to purchase, procure, maintain or upgrade subscriber radio equipment.

(3) A governing body may contract with another governing body of a PSAP for the provision of 911 PSAP services provided that the moneys distributed to any such governing body pursuant to K.S.A. 12-5374, and amendments thereto, shall only be used as authorized by this section. If a governing body serves as the provider of PSAP services for another governing body, both governing bodies shall enter into a contract or memorandum of agreement that addresses contingency plans and overflow arrangements. Any such contract or memorandum of agreement shall be reviewed by the state 911 board with respect to the provisions that relate to contingency plans and overflow arrangements or that may conflict with the function of the statewide 911 system. If the state 911 board determines that any such provisions are not acceptable, the state 911 board and the governing bodies shall collaborate and work to resolve such concerns prior to the effective date of such contract or memorandum of agreement. Any governing body contracting with another governing body of a PSAP for the provision of 911 PSAP services shall establish in the contract or memorandum of agreement an agreed upon percentage of the governing body's distribution amount for the LCPA to distribute to the governing body of the PSAP that is providing the 911 services.

(b) The state 911 board shall, pursuant to rules and regulations, establish a process for a PSAP or governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services, to seek pre-approval of an expenditure. The state 911 board shall respond in writing to any pre-approval request within 30 days and

inform the PSAP stating whether the requested expenditure is approved or disapproved. If the expenditure is disapproved, the written notification shall state the reason for the disapproval and such PSAP or governing body may, within 15 days after service of the notification, make a written request to the state 911 board to appeal the board's decision and for a hearing to be conducted in accordance with the provisions of the Kansas administrative procedure act.

(c) The state 911 board shall annually review expenditures of 911 moneys reported on the annual report for each PSAP or governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services and shall appoint a committee to review such expenditures. If the committee determines that a reported expenditure was not authorized by this act, the committee shall request that the expenditure be refunded by the PSAP or governing body to the PSAP's or governing body's 911 account. If a PSAP or governing body does not concur with the finding of the committee, the PSAP or governing body may request a review of the decision of the committee before the state 911 board. If the state 911 board, based upon information obtained from an audit, determines that any PSAP or governing body has used any 911 fees for any purpose other than those authorized in this act, the governing body for such PSAP or governing body that contracts with another governing body of a PSAP for the provision of 911 PSAP services shall repay all such moneys used for any unauthorized purposes to the 911 fee fund of such PSAP or governing body. Upon a finding that the expenditure was made intentionally for a purpose clearly established as an unauthorized expenditure, the state 911 board may require such PSAP or governing body to pay the lesser of \$500 or 10%, of such misused moneys, to the LCPA ~~for deposit in the 911 state grant fund.~~ Upon receipt of any moneys paid pursuant to this subsection, the LCPA shall remit such moneys to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and credit such amount to the state 911 grant fund. No such repayment of 911 fees shall be imposed pursuant to this section except upon the written order of the state 911 board. Such order shall state the unauthorized purposes for which the funds were used, the amount of funds to be repaid and the right of such PSAP or governing body to appeal to a hearing before the Kansas office of administrative hearings. Any such PSAP or governing body may, within 15 days after service of the order, make a written request to the state 911 board for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(d) Any final action of the state 911 board pursuant to subsection (b) or (c) is subject to review in accordance with the Kansas judicial review act.;

Also on page 37, by striking all in lines 3 through 43;

On page 38, by striking all in lines 1 through 31;

On page 39, in line 36, before "K.S.A." by inserting "On and after July 1, 2024,";

On page 40, in line 5, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 9, after "authorizing" by inserting "governing bodies of cities or"; in line 10, by striking "county" and inserting "governing body of a PSAP; increasing the amount of 911 fee distributions to PSAPs and governing bodies"; and the bill be passed as amended.

On motion of Senator Erickson, the Senate adjourned until 2:30 p.m., Tuesday, March 19, 2024.

Journal of the Senate

FORTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 19, 2024, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

God Bless America
Psalm 84:11

Shortly after becoming an American citizen, Irving Berlin wrote, the earliest version of this prayer, a prayer that was set to music and went on to become a national anthem. Psalm 84:11 For the LORD God is a sun and a shield; the LORD gives grace and glory; He withholds no good thing from those who walk with integrity.

God Bless America, land that I love.
Stand beside her, and guide her
Thru the night with a light from above.
From the mountains, to the prairies,
To the oceans, white with foam,
God bless America, My home sweet home. Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 556, AN ACT concerning the Kansas silver alert plan; relating to public notice of certain missing persons; expanding such plan to include persons 18 years of age or older who have been diagnosed with an intellectual disability and are in certain dangerous circumstances; amending K.S.A. 75-754 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 554**, **SB 555**.
Judiciary: **HB 2781**.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with

Senator Bowers in the chair.

On motion of Senator Bowers the following summary report was adopted:

HB 2745 be passed.

HB 2481, HB 2498, HB 2629, HB 2760, HB 2790 be passed as amended by adoption of the committee reports.

COMMITTEE OF THE WHOLE ATIONS

HB 2481 be amended by the adoption of the committee amendments.

HB 2498 be amended by the adoption of the committee amendments.

HB 2629 be amended by the adoption of the committee amendments.

HB 2745 be passed.

HB 2760 be amended by the adoption of the committee amendments.

HB 2790 be amended by the adoption of the committee amendments.

CHANGE OF CONFERENCE

Senators Billinger, Claeys and Pettey are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **SB 28**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2525**, As Amended by House Committee, be passed.

Committee on **Federal and State Affairs** recommends **HB 2783** be passed.

Also, Your Committee on **Federal and State Affairs** 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:

4th Congressional District Member, State Civil Service Board: K.S.A. 75-2929a

Jordan Massey, to fill a term expiring on March 15, 2026

Committee on **Financial Institutions and Insurance** recommends **SB 505** be amended on page 1, following line 7, by inserting:

"New Section 1.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$22,300,000 from the state general fund to the Kansas public employees retirement fund (365-00-7002-7000) of the Kansas public employees retirement system: *Provided*, That the transfer shall be for the full payment of the unfunded actuarial liability incurred by increasing the retirement benefit multiplier for members who are security officers of the department of corrections for participating service earned under K.S.A. 74-4914a, and amendments thereto.

Sec. 2.";

On page 2, in line 20, after "service" by inserting "earned under K.S.A. 74-4914a, and amendments thereto,";

On page 4, in line 36, after "service" by inserting "earned under K.S.A. 74-4914a, and amendments thereto,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "making and concerning appropriations for the fiscal year ending June 30, 2025; authorizing certain transfers from the state general fund to the Kansas public employees retirement fund;"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2487, HB 2628** be passed.

Also, **HB 2604, HB 2660**, be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Public Health and Welfare** recommends **HB 2536, HB 2579** be passed.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SB 307, SB 336, SB 431 reported correctly enrolled, properly signed and presented to the Governor on March 19, 2024.

SR 1746 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 19, 2024.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, March 20, 2024.

Journal of the Senate

FIFTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 20, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Difficulties Make Us Stronger
2 Corinthians 12:7-10, John 15:5-8

Heavenly Father, we thank You today, for our lives, for the freedoms we enjoy, for a portion of health and strength. We thank You for our loved ones, for our families, friends and neighbors. Lord, we even thank You today for our enemies...for our struggles, for our difficulties. For it is through them that You increase our strength, as resistance increases stamina and endurance.

Teach us the value of our troubles, as You taught the Apostle Paul in 2 Corinthians 12:7-10. Due to the importance and status of the work we're called to do, You lovingly use our difficulties and pain to keep us humble, to keep us from becoming so proud or conceited that we lose sight of the fact that it's Your grace that sustains us, Your strength that carries us.

For You tell us in John 15:5-8, without You we can't produce anything of real value. So, like Paul, who declared, "when I am weak, then I am strong." Teach us to be content with our limited abilities, with weaknesses, insults, hardships and even disasters. Lord, if two negatives equal a positive, then teach us to be optimistic and when problems prevail, stay connected to You. Teach us to pray and search until we find the good. I offer this prayer, simply as a branch, connected to Jesus, The True Vine. Amen and Amen

The Pledge of Allegiance was led by President Masterson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committees as indicated:

Public Health and Welfare: **SB 556**.

REFERENCE OF APPOINTMENTS

The following appointment was referred to Committee as indicated:

President Masterson referred **Richard Samaniego**, Chair, Crime Victims Compensation Board, to the Committee on **Judiciary**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senators Faust-Goudeau and Blasi introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1747—

A RESOLUTION recognizing Storytime Village, Inc., for its work
in giving young Kansas children the opportunity
for a better future through its literacy programs.

WHEREAS, According to the Annie E. Casey Foundation, children who are proficient in reading by the end of third grade are more likely to graduate from high school and be economically successful in adulthood; and

WHEREAS, Many underserved populations in Kansas are lacking the quality literacy skills essential for future success in school and life; and

WHEREAS, Storytime Village, Inc., under the leadership of founder and CEO Prisca Barnes, has been working to provide literacy programs for children since 2009; and

WHEREAS, In 2024, Storytime Village, Inc., celebrated its 15th anniversary, honoring its history of helping Kansas children, beginning at birth through age eight, thrive through partnerships that provide early childhood development, family engagement involving reading, access to books, advocacy and awareness; and

WHEREAS, Supported by parents and the help of many dedicated volunteers, Storytime Village, Inc., inspires children, regardless of their socio-economic background, race or gender, to read by providing them with free books and literacy resources; and

WHEREAS, March 20, 2024, is designated as the 7th Annual Literacy Day at the Capitol, which will address the literacy achievement gap in the state of Kansas by focusing on early literacy and mobilizing high school students to raise their voice through meetings with legislators, panel discussions and an advocacy workshop, with the theme, "The Right to Read: Helping our Youngest Thrive through Literacy." Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize Storytime Village, Inc., for its work in giving young Kansas children the opportunity for a better future through its literacy programs; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Prisca Barnes and Senators Faust Goudeau and Blasi.

On emergency motion of Senator Faust-Goudeau **SR 1747** was adopted by voice vote.

Senators Pettey, Haley and Pittman introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1748—

A RESOLUTION congratulating Kansas City Kansas Community College
on its 100th anniversary of serving the educational needs
of Wyandotte County and the broader Kansas City region.

WHEREAS, The rich history of Kansas City Kansas Community College (KCKCC) began in 1923 when it offered its first classes as part of the Kansas City, Kansas School District in downtown Kansas City, Kansas; and

WHEREAS, In 1972, KCKCC expanded its reach by establishing a permanent location on State Avenue, providing a dedicated space for its growing academic

programs; and

WHEREAS, KCKCC further strengthened its commitment to career and technical education through its 2008 merger with the Area Vocational Technical School, offering students a wider range of skills training opportunities; and

WHEREAS, KCKCC's commitment to expanding its reach is further demonstrated by its recent land acquisition in Leavenworth County, paving the way for a new educational facility; and

WHEREAS, KCKCC also continues to be a leader in innovative educational models, exemplified by its ongoing construction of the Kansas City Kansas Community Education, Health and Wellness Center in downtown Kansas City, Kansas; and

WHEREAS, KCKCC consistently serves a diverse student body of over 8,000 students annually, 51% of which being from Wyandotte County; and

WHEREAS, KCKCC provides a significant positive impact and boosts student success and economic growth; and

WHEREAS, In 2022 alone, Kansas' total educational investment in KCKCC of \$115.5 million returned \$764.9 million in new income, which supports 11,633 jobs in the region: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Kansas City Kansas Community College (KCKCC) on its 100th anniversary; and

Be it further resolved: That we commend KCKCC for its unwavering dedication to providing quality, accessible education and fostering a skilled workforce for the Kansas City region; and

Be it further resolved: That we applaud KCKCC's leadership in creating innovative educational models and its commitment to serving a diverse student population, including its growing Hispanic student body; and

Be it further resolved: That we extend our best wishes for continued success to KCKCC as it embarks on its next chapter of service and innovation; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Pettey.

On emergency motion of Senator Pettey **SR 1748** was adopted by voice vote.

Senators Haley and Faust-Goudeau introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1749—

A RESOLUTION supporting the Kinaway Chamber of Commerce and the First Nations Leadership Development Trade Mission to Kansas.

WHEREAS, The United States and Australia have a shared interest in ensuring their trade and investment agenda delivers inclusive economic growth and benefits for everyone; and

WHEREAS, Both nations are committed to work together in genuine partnership with indigenous businesses and stakeholders in the United States and Australia, and grow opportunities for Indigenous Peoples to enjoy the economic prosperity created by their two-way trade and investment; and

WHEREAS, Both nations have welcomed the opportunities that will be created by the announcement of a new United States funding, which will work with Australian government programs to support ongoing dialogue, knowledge-sharing and increased business opportunities for Indigenous Peoples in the months and years ahead; and

WHEREAS, "Kinaway" means exchange in the Gunnai language and the Kinaway Chamber of Commerce is the lead body representing certified Aboriginal and Torres Strait Islander businesses in Victoria; and

WHEREAS, The Kinaway Chamber of Commerce is a charity established with the purpose of advancing Victorian Aboriginal businesses to actively participate and excel in both the national and international economy; and

WHEREAS, The Kinaway Chamber of Commerce's focus is on changing Aboriginal and Torres Strait Islander lives through a strength based model of business ownership and participation in the global economy; and

WHEREAS, The Kinaway Chamber of Commerce currently represents over 300 member businesses across numerous industries, more than 150 tier-one corporate partners, global alliance partners and thousands of supporters that directly contribute to Aboriginal and Torres Strait Islander business development by increasing employment and ensuring better health outcomes; and

WHEREAS, Each year, the Kinaway Chamber of Commerce hosts the Victorian Aboriginal Business Awards. In 2023 the awards included over 800 attendees. It is looking forward to an even larger event in 2024. Other Kinaway Chamber of Commerce events include the "Deadly in Melbourne-First Nations Business Expo"; and

WHEREAS, In the spirit of reconciliation and moving forward in unity, it is important that there is a meeting a meeting place for First Nations Australians, American Indians, new Australians and Global Alliance Friends to come together and share both the United State's and Australia's past and future; and

WHEREAS, Marking a milestone in the history of Australia, the Kinaway Chamber of Commerce Victoria Ltd. has lead the largest First Nations Leadership Development Trade Mission to America through its mission to the great state of Kansas, which seeks to establish new trade routes, collaborations and strengthen trade between the two nations: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That Kansas supports the Kinaway Chamber of Commerce and the First Nations Leadership Development Trade Mission to Kansas; and

Be it further resolved: That we affirm that the Kinaway Chamber of Commerce is the meeting place for Global First Nations business in Victoria; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Donald Betts and Senators Haley and Faust Goudeau.

On emergency motion of Senator Haley **SR 1749** was adopted by voice vote.

This particular delegation, the Kinaway AUS-OZ, is alleged to be the largest Australian trade mission of indigenous leadership to have ever reached our State. Indeed historic in that realization is too found a bit of history in and of itself with the return to this Chamber of our colleague, my former seatmate, my teacher, my mentor of whom I couldn't be more proud of if he were my biological son, the Honorable Senator (once a Senator ALWAYS a Senator) DONALD BETTS! You know Mr. President, looking back on the journey and lessons of our lives is often taken for granted; and actually, seldom done. Once we leave these hallowed halls, my experience (of now nearly 30 years here) is to seldom see any of us return to visit; even when fostering stronger ties and enhancing trade as is before us now. Senator Betts in spearheading this

trade mission from Australia is embodying the spirit of Sankofa or “going back, looking back in order to retrieve and to grow”, along with his beloved mother, Charmaine Betts, who too is with us today. Welcoming this delegation here is nothing short of historic! Godspeed and good luck to this indigenous Australian delegation: Senator Donald Betts; Charmaine Betts; Jenny Ockwell; Jane Tittums; Karen Millard; Trent Brickle; Lawrence Moser; David Parkins; Denny Francisco; Chris Elstoft (AUS Consul General); Brian Carnahan; AMB. Justin Mohamed; Jen Tomasik; Chelsea Harris; and Jason Briggs. —DAVID HALEY

COMMUNICATIONS FROM STATE OFFICERS

The following appointment made by the Attorney General and submitted to the Senate for confirmation was introduced and the appointment letter read:

Richard Samaniego, Chair, Crime Victims Compensation Board (submitted: December 13, 2023)

MESSAGE FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **H Sub SB 233** and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 340** and has appointed Representatives Sutton, Clifford and Neighbor as conferees on the part of the House.

Announcing passage of **Sub HB 2273; HB 2800, HB 2816**.

Announcing passage of **SB 399**.

The House adopts the Conference Committee report to agree to disagree on **H Sub SB 233**, and has appointed Representatives Landwehr, Eplee and Ruiz, S. as Second conferees on the part of the House.

The House announced the appointment of Representatives Waymaster, Hoffman and Helgerson to replace Representatives Sutton, Penn and Neighbor as conferees on **SB 28**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2273; HB 2800, HB 2816 were thereupon introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

Citing Senate Rule 11(b), Senator Steffen motioned to withdraw **SB 286** from the Committee on **Federal and State Affairs** and move the bill to the Calendar under the heading of **General Orders**, below the line.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2481, AN ACT concerning roads and highways; designating portions of K-96 highway as the PFC Henry Lee Fisher memorial highway and the 96th Infantry Division memorial highway; designating bridge No. 160-96-293.72 in Sumner county as the SrA Derek Scott Martin memorial bridge; amending K.S.A. 68-1044 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2498, AN ACT concerning motor vehicles; relating to license plates; providing for the first city of Kansas distinctive license plate; requiring certain license plates to have the county of registration for the motor vehicle identified on the plate, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2629, AN ACT concerning children and minors; relating to the state child death review board; replacing sudden infant death with sudden unexplained infant death; requiring the secretary for health and environment to provide a death certificate to the state child death review board; listing requirements for notification of a deceased child; increasing the number of members appointed by the state board of healing arts to the state child death review board; allowing for compensation for board members; providing for the disclosure of certain records to certain persons for securing grants and public officials for supplemental information to the board's annual report; directing that records be kept for 15 years after a case is closed; amending K.S.A. 22a-242, 22a-243 and 22a-244 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2745, AN ACT concerning occupational licensing; relating to occupational licensing, certification and registration fees; providing that military spouses of active military servicemembers shall be exempted from all such fees; amending K.S.A. 2023 Supp. 48-3406 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2760, AN ACT concerning veterans and military; relating to the transfer of powers, duties and functions of the Kansas commission on veterans affairs office; establishing the Kansas office of veterans services; updating the veterans claims assistance program to include references to veterans affairs medical centers and cross-accreditation requirements; amending K.S.A. 21-6630, 39-923, 65-1732, 65-2418, 73-209, 73-210, 73-230, 73-1209, 73-1210a, 73-1211, 73-1217, 73-1218, 73-1222, 73-1223, 73-1225, 73-1231, 73-1232, 73-1233, 73-1234, 73-1235, 73-1236, 73-1238, 73-1239, 73-1241, 73-1242, 73-1243, 75-3370, 75-4362, 76-6b05, 76-1904, 76-1904a, 76-1906, 76-1908, 76-1927, 76-1928, 76-1929, 76-1931, 76-1932, 76-1935, 76-1935a, 76-1936, 76-1939, 76-1941, 76-1951, 76-1952, 76-1953, 76-1954, 76-1955, 76-1956, 76-1957, 76-1958 and 79-3221k and K.S.A. 2023 Supp. 32-934, 74-2012, 75-3740 and 77-440 and repealing the existing sections; also repealing K.S.A. 73-1208d, 73-1208e and 73-1208f, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2790, AN ACT concerning labor and employment; relating to professional employer organizations; transferring registration requirements, related compliance oversight and enforcement authority for such organizations from the commissioner of insurance to the secretary of state, effective January 1, 2025; requiring the filing of initial and renewal registration applications, reports, financial statements and other assurance documents with the secretary; providing for fees to be submitted to the secretary and granting the secretary responsibility over the professional employer organization fee fund; ensuring that welfare benefit plans offered by professional employer organizations to employees and covered employees are treated as a single employer welfare benefit plan for purposes of state law; amending K.S.A. 44-1702, 44-1704, 44-1705, 44-1706, 44-1708, 44-1709 and 44-1710 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Holland.

The bill passed, as amended.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub SB 233** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

On motion of Senator Gossage the Senate adopted the conference committee report on **H Sub SB 233**, and requested a new conference be appointed.

The President appointed Senators Gossage, Erickson and Pettey as a second Conference Committee on the part of the Senate on **H Sub SB 233**.

CHANGE OF REFERENCE

The President withdrew **S Sub HB 2646** from the Calendar under the heading of **General Orders**, and jointly referred the bill to the Committee on **Ways and Means** and the Committee on **Financial Institutions and Insurance**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2477** be amended on page 1, in line 23, by striking "for"; in line 25, after the comma by inserting "may receive"; also in line 25, after "site" by inserting "as provided herein and evidenced by receipts for any eligible corrective action costs, but the total reimbursement"; also in line 25, after "exceed" by inserting "\$300,000. If an eligible person has paid at least \$2,000 for eligible corrective action costs at a site, such person may receive reimbursement in"; in line 27, by striking "\$1,000 and less than or equal to" and inserting "\$2,000 until such person has received"; also in line 27, after "(B)" by inserting "additional reimbursement in an amount equal to"; also in line 27, after "of" by inserting "additional"; in line 28, by striking all after "costs"; in line 29, by striking all before the period and inserting "until such person has received an additional \$200,000 in reimbursement"; in line 33, by striking all after the period; by striking all in lines 34 through 36;

On page 2, by striking all in lines 1 through 4;

On page 3, in line 4, by striking "energy" and inserting "agriculture"; also in line 4, after "resources" by inserting "or any successor committee"; in line 5, by striking "environment" and inserting "agriculture and natural resources or any successor committee";

On page 1, in the title, in line 3, by striking "and"; by striking all in line 4; in line 5, by striking all before the semicolon; and the bill be passed as amended.

Also, **HB 2543** be amended on page 1, in line 20, by striking "receiving"; also in line 20, after "determination" by inserting "being sent by the animal health commissioner"; in line 33, after "unlawful" by inserting "and subject to penalties as provided in K.S.A. 47-421, and amendments thereto"; in line 35, by striking "holding" and inserting

"wanting to renew";

On page 2, in line 1, after "title" by inserting "held by such person"; in line 11, after "unlawful" by inserting "and subject to penalties as provided in K.S.A. 47-421, and amendments thereto"; in line 21, after "the" by inserting "total of the"; also in line 21, by striking "or"; also in line 21, before "renewal" by inserting "and"; and the bill be passed as amended.

Committee on **Commerce** recommends **Sub HB 2570** be amended on page 16, in line 30, by striking all after "through" and inserting "2027, 25%";

(ii) calendar year 2028, 30%;

(iii) calendar year 2029, 35%;

(iv) calendar years 2030 through 2031, 40%; and";

Also on page 16, in line 31, by striking "2031" and inserting "2032"; in line 32, by striking all after "(a)"; in line 33, by striking all before the semicolon and inserting "40%, except as provided in subclause (b)"; in line 34, by striking all after "45%"; in line 35, by striking all before the period and inserting "if any combination of employer rate schedules G through M, as provided in K.S.A. 44-710a(a)(4)(C), and amendments thereto, is in effect for any five consecutive preceding calendar years occurring after calendar year 2031. The specified percentage of 45% shall then remain in effect for all ensuing calendar years thereafter notwithstanding any changes to the employer rate schedules in effect during such ensuing calendar years";

On page 17, in line 7, by striking "(A)(i) through (vii)" and inserting "(A)";

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

On page 27, in line 33, after "benefits" by inserting "allowed"; also in line 33, after "year" by inserting "pursuant to paragraph (1)"; in line 34, by striking all before "traditional" and inserting "apply to the combined total of any weeks of"; also in line 34, by striking "or" and inserting "and"; in line 35, after "unemployment" by inserting "in such benefit year";

On page 48, in line 24, by striking "may" and inserting "shall"; also in line 24, by striking the first "the" and inserting "a";

On page 56, in line 16, by striking "subsection (e)(1)" and inserting "paragraph";

On page 58, in line 8, after "(E)" by inserting "(i)"; in line 10, before "If" by inserting:

"(ii)";

Also on page 58, in line 18, after the stricken material by inserting:

"(iii)";

Also on page 58, in line 19, by striking "the" and inserting "an"; in line 21, by striking the first "the" and inserting "a"; also in line 21, by striking "will" and inserting "shall";

On page 62, in line 14, by striking "2.7%" and inserting "1.75%"; in line 16, by striking "6%" and inserting "5.55%";

On page 63, in line 22, by striking all after "(ii)"; by striking all in lines 23 through 27; in line 28, by striking all before the period and inserting: "(a) Beginning on July 1, 2024, and annually thereafter, active negative rated employers shall be eligible for a calculated negative debt write-off and forgiveness amount as determined pursuant to this subclause. If on any computation date an employer's account registers a negative reserve ratio less than or equal to -7.150%, a portion of benefit charges shall be

conditionally forgiven and removed from the employer's account in order to bring the employer's account to a reserve ratio of -7.150%, and the employer shall be assigned to rate group N11, as set forth in paragraph (4)(C)(ii) for the next three calendar years.

(b) Negative rated employers affected by the conditional write-off provision pursuant to subclause (a) shall have the option to avoid a negative debt write-off and assignment to rate group N11 for the next three calendar years by submitting a voluntary contribution pursuant to subsection (c) equal to or greater than the amount necessary to establish their account reserve ratio to an amount equal to or greater than -7.149% for the next calendar year";

Also on page 63, in line 33, by striking "7" and inserting "(G)"; also in line 33, by striking "(a)(4)(B)(ii)" and inserting "(a)(4)(C)(ii)";

On page 64, in line 27, after "(4)(A)" by inserting "*Contribution Schedules.*"; in line 30, after "(B)" by inserting "*Published calculated maximum annual tax amounts per employee.*"; also in line 30, by striking "prepare" and inserting "publish corresponding"; also in line 30, by striking "rate" and inserting "amount"; in line 32, by striking "the previous, current and ensuing rate year" and inserting "each rate group"; in line 33, by striking "rate" and inserting "amount"; also in line 33, by striking all after "published"; in line 34, by striking all before "on";

On page 65, by striking all in lines 24 through 43;

On page 66, by striking all in lines 1 through 36 and inserting:

"Fund Control Table A
For Rate Year 2025 and Ensuing Calendar Years

KS SUTA Tax Rate Schedules	Lower AHCM Threshold	Upper Solvency/AHCM Threshold	Solvency/Credit Adjustment	Proportional Solvency/Credit Adjustment
	M -1,000.00000	-0.00001	1.00%	0.05128%
	L 0.00000	0.24999	1.70%	0.04359%
Solvency Schedules	K 0.25000	0.44999	1.40%	0.03590%
(H-M)	J 0.45000	0.59999	1.10%	0.02821%
	I 0.60000	0.69999	0.80%	0.02051%
	H 0.70000	0.74999	0.50%	0.01282%
Standard Schedule (G)	G 0.75000	1.24999	0.00%	0.00000%
	F 1.25000	1.29999	-0.50%	-0.01282%
Credit Schedules (A-F)	E 1.30000	1.39999	-0.80%	-0.02051%
	D 1.40000	1.54999	-1.10%	-0.02821%
	C 1.55000	1.74999	-1.40%	-0.03590%
	B 1.75000	1.99999	-1.70%	-0.04359%
	A 2.00000	1,000.00000	-2.00%	-0.05128%";

Also on page 66, in line 38, by striking "7" and inserting "G"; in line 43, by striking "7" and inserting "G"; also in line 43, by striking "1" and inserting "H"; also in line 43,

by striking "6" and inserting "M";

On page 67, in line 1, by striking "8" and inserting "A"; also in line 1, by striking "13" and inserting "F"; also in line 1, by striking "with"; by striking all in lines 2 through 4; in line 5, by striking all before the period; in line 20, by striking "7" and inserting "G"; in line 24, by striking "0.10%" and inserting "0.05%"; in line 25, by striking "0.20%" and inserting "0.10%"; in line 26, by striking "0.30%" and inserting "0.15%"; in line 27, by striking "0.40%" and inserting "0.25%"; in line 28, by striking "0.50%" and inserting "0.35%"; in line 29, by striking "0.60%" and inserting "0.45%"; in line 30, by striking "0.70%" and inserting "0.55%"; in line 31, by striking "0.80%" and inserting "0.70%"; in line 32, by striking "0.90%" and inserting "0.85%"; in line 34, by striking "1.10%" and inserting "1.15%"; in line 35, by striking "1.20%" and inserting "1.35%"; in line 36, by striking "1.30%" and inserting "1.55%"; in line 37, by striking "1.40%" and inserting "1.75%"; in line 38, by striking "1.50%" and inserting "1.95%"; in line 39, by striking "1.60%" and inserting "2.20%"; in line 40, by striking "1.70%" and inserting "2.45%"; in line 41, by striking "1.80%" and inserting "2.70%"; in line 42, by striking "1.90%" and inserting "2.95%"; in line 43, by striking "2.00%" and inserting "3.25%";

On page 68, in line 1, by striking "2.10%" and inserting "3.55%"; in line 2, by striking "2.20%" and inserting "3.85%"; in line 3, by striking "2.30%" and inserting "4.15%"; in line 4, by striking "2.40%" and inserting "4.50%"; in line 5, by striking "2.50%" and inserting "4.85%"; in line 6, by striking "2.60%" and inserting "5.20%"; in line 7, by striking "2.70%" and inserting "5.55%"; in line 8, by striking "5.60%" and inserting "5.85%"; in line 9, by striking "5.80%" and inserting "6.15%"; in line 10, by striking "6.00%" and inserting "6.45%"; in line 11, by striking "6.20%" and inserting "6.75%"; in line 12, by striking "6.40%" and inserting "7.00%"; in line 13, by striking "6.60%" and inserting "7.25%"; in line 14, by striking "6.80%" and inserting "7.50%"; in line 15, by striking "7.00%" and inserting "7.75%"; in line 16, by striking "7.20%" and inserting "7.95%"; in line 17, by striking "7.40%" and inserting "8.15%"; in line 18, by striking "7.60%" and inserting "8.35%"; by striking all in lines 19 through 44;

By striking all on pages 69 through 71;

On page 72, by striking all in lines 1 through 4; following line 4 by inserting:
"SOLVENCY RATE SCHEDULES (H-M)

Rate	L	K	J	I	H
00.05%	0.04%	0.04%	0.03%	0.02%	0.01%
10.15%	0.14%	0.12%	0.11%	0.09%	0.08%
20.25%	0.23%	0.21%	0.18%	0.16%	0.14%
30.36%	0.32%	0.29%	0.18%	0.16%	0.14%
40.51%	0.47%	0.43%	0.39%	0.35%	0.31%
50.66%	0.61%	0.57%	0.52%	0.47%	0.43%
60.81%	0.76%	0.70%	0.65%	0.59%	0.54%
70.96%	0.90%	0.84%	0.78%	0.71%	0.65%
81.16%	1.09%	1.02%	0.95%	0.88%	0.82%
91.36%	1.29%	1.21%	1.13%	1.06%	0.98%
101.56%	1.48%	1.39%	1.31%	1.23%	1.14%
111.77%	1.67%	1.58%	1.49%	1.40%	1.30%
122.02%	1.92%	1.82%	1.72%	1.62%	1.52%
132.27%	2.16%	2.05%	1.94%	1.84%	1.73%
142.52%	2.40%	2.29%	2.17%	2.06%	1.94%

152.77%	2.65%	2.52%	2.40%	2.28%	2.16%
163.07%	2.94%	2.81%	2.68%	2.55%	2.42%
173.37%	3.23%	3.10%	2.96%	2.82%	2.68%
183.67%	3.53%	3.38%	3.24%	3.09%	2.94%
193.98%	3.82%	3.67%	3.51%	3.36%	3.21%
204.33%	4.17%	4.00%	3.84%	3.68%	3.52%
214.68%	4.51%	4.34%	4.17%	4.00%	3.83%
225.03%	4.85%	4.68%	4.50%	4.32%	4.14%
235.38%	5.20%	5.01%	4.83%	4.64%	4.46%
245.78%	5.59%	5.40%	5.21%	5.01%	4.82%
256.18%	5.98%	5.78%	5.58%	5.38%	5.18%
266.58%	6.38%	6.17%	5.96%	5.75%	5.55%
276.99%	6.77%	6.56%	6.34%	6.12%	5.91%
N17.34%	7.11%	6.89%	6.67%	6.44%	6.22%
N27.69%	7.46%	7.23%	7.00%	6.77%	6.53%
N38.04%	7.80%	7.56%	7.32%	7.09%	6.85%
N48.39%	8.14%	7.90%	7.65%	7.41%	7.16%
N58.69%	8.44%	8.18%	7.93%	7.68%	7.42%
N68.99%	8.73%	8.47%	8.21%	7.95%	7.69%
N79.29%	9.03%	8.76%	8.49%	8.22%	7.95%
N89.60%	9.32%	9.04%	8.77%	8.49%	8.21%
N99.85%	9.56%	9.28%	8.99%	8.71%	8.42%
N1010.10%	9.81%	9.51%	9.22%	8.93%	8.64%
N1110.35%	10.05%	9.75%	9.45%	9.15%	8.85%

CREDIT RATE SCHEDULES (A-F)

Rate	E	D	C	B	A
GroupF					
00.00%	0.00%	0.00%	0.00%	0.00%	0.00%
10.02%	0.01%	0.00%	0.00%	0.00%	0.00%
20.06%	0.04%	0.02%	0.00%	0.00%	0.00%
30.10%	0.07%	0.04%	0.01%	0.00%	0.00%
40.19%	0.15%	0.11%	0.07%	0.03%	0.00%
50.27%	0.23%	0.18%	0.13%	0.09%	0.04%
60.36%	0.31%	0.25%	0.20%	0.14%	0.09%
70.45%	0.39%	0.32%	0.26%	0.20%	0.14%
80.58%	0.52%	0.45%	0.38%	0.31%	0.24%
90.72%	0.64%	0.57%	0.49%	0.41%	0.34%
100.86%	0.77%	0.69%	0.61%	0.52%	0.44%
111.00%	0.90%	0.81%	0.72%	0.63%	0.53%
121.18%	1.08%	0.98%	0.88%	0.78%	0.68%
131.37%	1.26%	1.16%	1.05%	0.94%	0.83%
141.56%	1.44%	1.33%	1.21%	1.10%	0.98%
151.74%	1.62%	1.50%	1.38%	1.25%	1.13%
161.98%	1.85%	1.72%	1.59%	1.46%	1.33%
172.22%	2.08%	1.94%	1.80%	1.67%	1.53%
182.46%	2.32%	2.16%	2.02%	1.87%	1.73%
192.69%	2.54%	2.39%	2.23%	2.08%	1.92%
202.98%	2.82%	2.66%	2.50%	2.33%	2.17%
213.27%	3.10%	2.93%	2.76%	2.59%	2.42%
223.56%	3.38%	3.20%	3.02%	2.85%	2.67%
233.84%	3.66%	3.47%	3.29%	3.10%	2.92%

244.18%	3.99%	3.79%	3.60%	3.41%	3.22%
254.52%	4.32%	4.12%	3.92%	3.72%	3.52%
264.85%	4.65%	4.44%	4.23%	4.02%	3.82%
275.19%	4.98%	4.76%	4.54%	4.33%	4.11%
N15.48%	5.26%	5.03%	4.81%	4.59%	4.36%
N25.77%	5.53%	5.30%	5.07%	4.84%	4.61%
N36.05%	5.81%	5.58%	5.34%	5.10%	4.86%
N46.34%	6.09%	5.85%	5.60%	5.36%	5.11%
N56.58%	6.32%	6.07%	5.82%	5.56%	5.31%
N66.81%	6.55%	6.29%	6.03%	5.77%	5.51%
N77.05%	6.78%	6.51%	6.24%	5.97%	5.71%
N87.29%	7.01%	6.73%	6.46%	6.18%	5.90%
N97.48%	7.19%	6.91%	6.62%	6.34%	6.05%
N107.66%	7.37%	7.08%	6.76%	6.49%	6.20%
N117.85%	7.55%	7.25%	6.95%	6.65%	6.35%

(iii) Not less than 30 days prior to each calendar year, the secretary shall publish the effective contribution schedules for the previous four rate years and ensuing rate year on a publicly accessible website maintained by the secretary.";

And the bill be passed as amended.

Committee on **Education** recommends **HB 2646** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2646," as follows:

"Senate Substitute for HOUSE BILL NO. 2646

By Committee on Education

"AN ACT concerning education; relating to teachers; defining teachers for purposes of the Kansas public employees retirement system; transferring teachers from the Kansas public employees retirement system act of 2015 to the Kansas public employees retirement system act of 2009; amending K.S.A. 74-49,301 and repealing the existing section.";

And the substitute bill be passed.

Committee on **Federal and State Affairs** recommends **HB 2056** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2056," as follows:

"Senate Substitute for HOUSE BILL NO. 2056

By Committee on Federal and State Affairs

"AN ACT concerning firearms; relating to the possession thereof; clarifying the eligibility requirements to obtain a license to carry a concealed handgun under the personal and family protection act; requiring that a license be surrendered to the attorney general upon suspension or revocation of such license; amending K.S.A. 75-7c07 and K.S.A. 2023 Supp. 75-7c04 and repealing the existing sections.";

And the substitute bill be passed.

Committee on **Judiciary** recommends **HB 2549**, **HB 2741** be passed.

Also, **HB 2632** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

The Committee on **Public Health and Welfare** recommends **HB 2453**, **HB 2578**, **HB 2484**, **HB 2754** be passed.

Also, **HB 2547** be amended on page 2, in line 14, by striking all after "(b)"; by striking all in lines 15 through 22; in line 23, by striking "(c)"; in line 29, by striking

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"(c)" and inserting "(b)";

On page 4, in line 39, after "conducted" by inserting "by a school nurse, physician or mid-level practitioner"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, March 21, 2024.

Journal of the Senate

FIFTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 21, 2024, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Unstableness of Double Mindedness
James 1:8

Heavenly Father, I pray Your special blessings upon all in this house, that our hearts and minds come into sync with Yours. In James 1:8, You tell us that the uncertainty of double mindedness causes instability in everything we do. So Lord please meet each one of us at the point of our particular need.

Where there is double mindedness bring Godly decisiveness.

Where there is harshness bring gentleness.

Where there is partiality bring sensitivity.

Where there is indifference bring compassion.

Where there is apathy bring enthusiasm.

Where there is hypocrisy bring sincerity.

Where there is willfulness bring obedience.

Where there is fearfulness bring boldness.

Where there is wastefulness bring resourcefulness.

Where there is impulsiveness bring cautiousness.

Where there is disorganization bring order.

Where there is unfaithfulness bring loyalty.

Where there is anger bring peace.

Lord, we are in what is called the heartland of this nation. Let us be the heartbeat for this nation's good. Let the pulse of Your Holy Spirit's presence in us permeate this land. Work Your work in us. Then work Your work through us. I pray this in the Name of Jesus, whose stability never changes. Amen.

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 557, AN ACT concerning school districts; relating to professional employees; authorizing such professional employees to cease the withholding of professional employees' organization dues from their wages upon request; amending K.S.A. 72-2219

and 72-2241 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **HB 2800, HB 2816.**

Ways and Means: **Sub HB 2273.**

MESSAGE FROM THE HOUSE

Announcing passage of **Sub HB 2460; HB 2806, HB 2810, HB 2819.**

Announcing passage of **SB 424, SB 481, SB 491.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2460; HB 2806, HB 2810, HB 2819 were thereupon introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

The motion by Senator Steffen on **SB 286** to withdraw from the Committee on Federal and State Affairs and advance the bill to General Orders was not adopted.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 7; Nays 26; Present and Passing 5; Absent or Not Voting 2.

Yeas: Baumgardner, Olson, Peck, Pyle, Steffen, Straub, Tyson.

Nays: Alley, Bowers, Corson, Dietrich, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, McGinn, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Present and Passing: Blasi, Claeys, Erickson, Masterson, O'Shea.

Absent or Not Voting: Billinger, Doll.

EXPLANATION OF VOTE

I vote No. Kansans spoke loud and clear on August 2nd that a woman should have bodily autonomy. I vote no because the people of Kansas have decided this issue.—
DINAH SYKES

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Sykes on **SB 286.**

Sometimes allies in a war disagree on battle tactics. On multiple occasions over the past year and a half, I have explained to my allies, who are the proponents of **SB 286**, why hearing this bill would be detrimental to achieving our mutual goal of overturning the Hodes decision and protecting life in Kansas. I have sought the counsel of pro-life leaders here in Kansas, and those who have been on the forefront of fighting for pro-life legislation nationally for decades. They all agreed there are issues with the language that would thwart our efforts to establish a culture of life in Kansas. Our situation here in Kansas is not like that of Florida, Texas, or many other states. We must deal with the unique political climate that exists here today if we are to make the right decisions. Otherwise, we are simply running headlong into a burning building without a fire hose. We cannot expect victory in the battle for the lives of the unborn without being united in

purpose and possessing the proper tools to achieve our goal. I just cannot support an effort that I firmly believe will set us back...and so I must vote no.—MIKE THOMPSON

Senator Bowers requests the record to show she concurs with the "Explanation of Vote" offered by Senator Thompson on **SB 286**.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Kloos in the chair.

On motion of Senator Kloos the following summary report was adopted:

SB 493; HB 2525, HB 2557, HB 2561, HB 2783 be passed.

SB 371; HB 2530, HB 2531, HB 2532, HB 2562 be passed as amended by the adoption of the committee reports.

HB 2176 be passed as amended by the adoption of the committee reports and as further amended by the Committee of the Whole.

COMMITTEE OF THE WHOLE ACTIONS

SB 371 be amended by the adoption of the committee amendments.

SB 493 be passed.

A motion by Senator Haley to amend **SB 493** failed.

HB 2176 be amended by the adoption of the committee amendments, be further amended by motion of Senator Ware; on page 9, following line 42, by inserting:

"New Sec. 17. (a) This act shall be known and may be cited as the blind information access act.

(b) The state librarian shall estimate the cost of entering into a contract with an organization that delivers on-demand information access services to persons who are blind, visually impaired, deafblind, print disabled or who have another disability. Such services shall provide access to digital content through audio, electronic text and braille reading technologies and other related services, including, but not limited to, Kansas specific publications, national publications, international publications, breaking news sources and localized emergency weather alerts. Such on-demand information access services shall be provided using telecommunication services or internet services

(c) On or before November 1 of each year, the state librarian shall submit a report to the legislature and the state corporation commission that specifies the estimate of the cost to enter into a contract to provide such on-demand information access services and shall certify such cost to the director of accounts and reports and the administrator of the Kansas universal service fund. Upon receipt of such certification, the total amount certified shall be transferred by the administrator of the Kansas universal service fund from the Kansas universal service fund to the state treasurer in the following calendar year by 12 equal monthly installment payments. Upon receipt of each such payment, the state treasurer shall deposit such amount in the state treasury and credit such amount to the blind information access fund.

(d) Upon receipt of the amount certified pursuant to subsection (c), the state librarian shall enter into or renew the contract required pursuant to this section.

(e) There is hereby created in the state treasury the blind information access fund. All moneys credited to the blind information access fund shall be used by the state

librarian to implement the provisions of this section. All expenditures from the blind information access fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state librarian or the state librarian's designee.

(f) The state librarian shall promote the information access services to persons who may be eligible for such services.

Sec. 18. K.S.A. 66-2010 is hereby amended to read as follows: 66-2010. (a) The commission shall utilize a competitive bidding process to select a neutral, competent and bonded third party to administer the KUSF.

(b) The administrator shall be responsible for: (1) Collecting and auditing all relevant information from all qualifying telecommunications public utilities, telecommunications carriers or wireless telecommunications service providers receiving funds from or providing funds to the KUSF; (2) verifying, based on the calculations of each qualifying telecommunications carrier, telecommunications public utility or wireless telecommunications service provider, the obligation of each such qualifying carrier, utility or provider to generate the funds required by the KUSF; (3) collecting all moneys due to the KUSF from all telecommunications public utilities, telecommunications carriers and wireless telecommunications service providers in the state; and (4) distributing amounts on a monthly basis due to qualifying telecommunications public utilities, wireless telecommunications service providers and telecommunications carriers receiving KUSF funding.

(c) Any information made available or received by the administrator from carriers, utilities or providers receiving funds from or providing funds to the KUSF shall not be subject to any provisions of the ~~Kansas~~ open records act and shall be considered confidential and proprietary.

(d) The administrator shall be authorized to maintain an action to collect any funds owed by any telecommunications carrier, public utility or wireless telecommunications provider in the district court in the county of the registered office of such carrier, utility or provider or, if such carrier, utility or provider does not have a registered office in the state, such an action may be maintained in the county where such carrier's, utility's or provider's principal office is located. If such carrier, utility or provider has no principal office in the state, such an action may be maintained in the district court of any county in which such carrier, utility or provider provides service.

(e) (1) The KUSF administrator shall be responsible to ensure that funds do not fall below the level necessary to pay all amounts collectively owed to all qualifying telecommunications public utilities, wireless telecommunications service providers ~~and~~, telecommunications carriers and the information access services contracted for pursuant to section 17, and amendments thereto. The administrator shall have the authority to retain and invest in a prudent and reasonable manner any excess funds collected in any period to help ensure that adequate funds are available to cover amounts payable in other periods.

(2) ~~Subject to the provisions of appropriations acts, for fiscal year 2013, the KUSF administrator may transfer moneys from the KUSF to the state treasurer. Upon the receipt of any payment, the state treasurer shall deposit the entire amount in the state treasury and credit it to the KAN-ED fund. Any such payments shall be made after all payments required by K.S.A. 66-2008, and amendments thereto, for the month are made from the KUSF.~~

(2) Upon receipt of the certification from the state librarian issued pursuant to section 17, and amendments thereto, the KUSF administrator shall transfer the total amount of moneys certified by the state librarian from the KUSF to the state treasurer in the following calendar year by 12 equal monthly installment payments. Upon receipt of each such payment, the state treasurer shall deposit such amount in the state treasury and credit such amount to the blind information access fund.;

On page 10, in line 26, after "K.S.A." by inserting "66-2010 and"; also in line 26, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "libraries; relating to"; in line 4, after the semicolon by inserting "establishing the blind information access act; requiring the state librarian to contract with an organization to provide on-demand information access services to persons who are blind, visually impaired, deafblind or print disabled; establishing the blind information access fund; requiring the transfer of moneys from the Kansas universal service fund to provide for such services;"; also in line 4, after "K.S.A." by inserting "66-2010 and"; also in line 4, by striking "section" and inserting "sections"

HB 2176 be further amended by motion of Senator Tyson; on page 1, in line 19, by striking "appointed" and inserting "elected"; in line 29, by striking "appointed" and inserting "elected"; in line 31, by striking "appointed" and inserting "elected";

On page 2, in line 6, by striking all after the period; by striking all in lines 7 and 8; in line 9, by striking all before the period and inserting "The members shall be elected at the first general election held after the creation of such library district. Three members shall serve an initial term of two years and four members shall serve an initial term of four years. Thereafter, each member shall serve terms of four years. The board of trustees of the Arkansas city public library shall establish the district boundaries for each board position on the board of trustees of the library district and designate which board positions will serve an initial term of two years and which board positions will serve an initial term of four years"; in line 12, by striking all after the second "the"; in line 13, by striking all before the second period and inserting "members elected to the library district board are sworn into office"; in line 14, by striking all after "(c)"; by striking all in lines 15 through 17; in line 18, by striking all before "Vacancies"; in line 19, after "term" by inserting "of the remaining members of the library district board";

On page 5, in line 37, by striking "appointed" and inserting "elected";

On page 6, in line 4, by striking "appointed" and inserting "elected"; in line 6, by striking "appointed" and inserting "elected"; in line 15, by striking all after the period; by striking all in lines 16 and 17; in line 18, by striking all before the period and inserting "The members shall be elected at the first general election held after the creation of such library district. Three members shall serve an initial term of two years and four members shall serve an initial term of four years. Thereafter, each member shall serve terms of four years. The board of trustees of the Udall public library shall establish the district boundaries for each board position on the board of trustees of the library district and designate which board positions will serve an initial term of two years and which board positions will serve an initial term of four years"; in line 21, by striking all after the second "the"; by striking all in line 22; in line 23, by striking "reappointment" and inserting "members elected to the library district board are sworn into office"; in line 24, by striking all after "(c)"; by striking all in lines 25 through 28;

in line 29, by striking all before "Vacancies"; in line 30, after "term" by inserting "of the remaining members of the library district board"

HB 2525 be passed.

HB 2530 be amended by the adoption of the committee amendments.

HB 2531 be amended by the adoption of the committee amendments.

HB 2532 be amended by the adoption of the committee amendments.

HB 2557 be passed.

HB 2561 be passed.

HB 2562 be amended by the adoption of the committee amendments.

HB 2783 be passed.

A motion to amend **HB 2783** was offered by Senator Olson. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment not germane.

Senator Pyle challenged the ruling of the chair.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 25; Nays 15; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pittman, Pyle, Reddi, Steffen, Straub, Sykes, Ware.

The ruling of the the chair was sustained.

EMERGENCY FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 371, SB 493; HB 2176, HB 2525, HB 2530, HB 2531, HB 2532, HB 2557, HB 2561, HB 2562, HB 2783** were advanced to Final Action and roll call.

SB 371, AN ACT concerning the Kansas silver alert plan; relating to public notice of certain missing persons; expanding such plan to include persons 18 years of age or older who have been diagnosed with an intellectual disability and are in certain dangerous circumstances; amending K.S.A. 75-754 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 493, AN ACT concerning driving; relating to ignition interlock devices; requiring manufacturers of such devices to pay fees to the highway patrol for the administration of the ignition interlock program; creating the IID fee program fund; amending K.S.A. 8-1016 and repealing the existing section.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pettey, Pittman, Ryckman, Steffen, Sykes, Thompson, Warren, Wilborn.

Nays: Blasi, Claeys, Haley, Holland, McGinn, Olson, Pyle, Reddi, Shallenburger, Straub, Tyson, Ware.

The bill passed.

HB 2176, AN ACT concerning libraries; relating to library districts; creating the Arkansas city area public library district act and the Udall area public library district act; requiring an election to create such district; authorizing a tax levy therefor; establishing the blind information access act; requiring the state librarian to contract with an organization to provide on-demand information access services to persons who are blind, visually impaired, deafblind or print disabled; establishing the blind information access fund; requiring the transfer of moneys from the Kansas universal service fund to provide for such services; amending K.S.A. 66-2010 and 75-2554 and repealing the existing sections.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Haley, Pettey, Reddi, Shallenburger.

The bill passed, as amended.

HB 2525, AN ACT concerning the department of health and environment; relating to fees established for the regulation of wastewater treatment facilities, water wells and underground injection control wells; providing for additional sources of revenue for the water program management fund; authorizing the secretary of health and environment to establish additional fees for the regulation of underground injection control wells; amending K.S.A. 65-166b, 65-4514 and 82a-1206 and K.S.A. 2023 Supp. 55-1,117 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson.

The bill passed.

HB 2530, AN ACT concerning insurance; relating to insurance laws and enforcement thereof; removing automobile club from the definition of person; amending K.S.A. 2023 Supp. 40-2,125 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2531, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2023 Supp. 40-2c01 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2532, AN ACT concerning insurance; relating to group-funded liability and group-funded workers compensation pools; changing certain reporting requirements; amending K.S.A. 12-2620, 44-584 and 44-590 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2557, AN ACT concerning the rules of evidence; relating to peer support counseling session communication privilege; expanding the definition of peer support counseling session; amending K.S.A. 2023 Supp. 60-473 and repealing the existing section.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Francisco, Haley, Holland, Ware.

The bill passed.

HB 2561, AN ACT concerning financial institutions; relating to credit unions; authorizing a domestic credit union to do business outside the state; providing civil penalties for certain violations; allowing informal agreements with the credit union administrator; eliminating the requirement to submit duplicate certificates of organization and bylaws; establishing appeals procedures for suspension of credit and supervisory committee members; requiring members of the merging credit union to approve a merger of credit unions; amending K.S.A. 17-2201, 17-2208 and 17-2228

and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2562, AN ACT concerning securities; enacting the protect vulnerable adults from financial exploitation act; requiring reporting of instances of suspected financial exploitation under certain circumstances; providing civil and administrative immunity to individuals who report such instances; amending K.S.A. 17-12a412 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Steffen, Tyson.

The bill passed, as amended.

HB 2783, AN ACT concerning motor vehicles; prohibiting any state agency, city or county from regulating or restricting the use or sale of motor vehicles based on the energy source used; allowing the state agency, city or county to establish motor vehicle purchase policies for such state agency, city or county.

On roll call, the vote was: Yeas 29; Nays 9; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Kerschen, Kloos, Masterson, McGinn, O'Shea, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Doll, Francisco, Holland, Holscher, Olson, Pettey, Reddi, Sykes, Ware.

Present and Passing: Bowers, Longbine.

The bill passed.

EXPLANATION OF VOTE

I vote NO on **HB 2783**. Once again the Kansas Legislature attempts to exceed its constitutional boundaries by limiting the duties and obligations of the executive branch.

—TOM HOLLAND

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Holland on **HB 2783**.

Local Control or Home Rule whichever you'd rather call it, is a basic Kansas concept. This guiding principle has been ignored over and over again in the Kansas legislature. Going forward it will be very hard for me to vote for any bill that turns its

back on our counties and cities authority to govern themselves. I vote NO.—MARY WARE

Senator Francisco requests the record to show she concurs with the “Explanation of Vote” offered by Senator Ware on **HB 2783**.

CHANGE OF REFERENCE

The President withdrew **HB 2705** from the Committee on **Education**, and referred the bill to the Committee on **Ways and Means**.

REMOVE FROM CONSENT CALENDAR

An objection having been made to **SB 524** appearing on the Consent Calendar, the President directed the bill be removed and placed on the calendar under the heading of General Orders.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **Substitute for HB 2168** be amended on page 2, in line 8, after "date" by inserting "not more than 90 days after the negligent violation";

On page 3, in line 27, by striking "\$500" and inserting "\$800";

On page 4, in line 2, by striking "\$500" and inserting "\$800";

On page 1, in the title, in line 2, by striking "\$500" and inserting "\$800"; and the bill be passed as amended.

Also, **HB 2607**, As Amended by House Committee, be amended on page 8, in line 24, after "(a)" by inserting "(1)"; also in line 24, by striking "person"; in line 25, by striking all before "violates" and inserting "pesticide business licensee or pesticide dealer who"; in line 30, by striking "\$500" and inserting "\$5,000"; in line 32, by striking all after "violation"; in line 33, by striking all before the period and inserting ". In the case of a continuing violation, the maximum civil penalty shall not exceed \$10,000.

(2) Except as provided in paragraph (1), any person who holds a license, certification, registration or permit or is required to hold such license, certification, registration or permit pursuant to the Kansas pesticide law and violates any provision of the Kansas pesticide law or any rules and regulations adopted thereunder, in addition to any other penalty provided by law, may incur a civil penalty imposed under subsection (b) in the amount fixed by rules and regulations of the secretary in an amount not less than \$100 nor more than \$500 for each violation, and in the case of a continuing violation, every day such violation continues may be deemed a separate violation. In the case of a continuing violation, the maximum civil penalty shall not exceed \$2,500";

On page 9, in line 1, after "that" by inserting "a pesticide business licensee, pesticide dealer or"; also in line 1, by striking "or entity"; in line 7, before "person" by inserting "pesticide business licensee, pesticide dealer or"; in line 8, by striking all before the first "to"; in line 9, before "person" by inserting "pesticide business licensee, pesticide dealer or"; also in line 9, by striking "or entity"; in line 14, after "Any" by inserting "pesticide business licensee, pesticide dealer or"; also in line 14, by striking "or entity";

On page 10, in line 43, after "(a)" by inserting "(1)";

On page 11, in line 2, by striking "(1)" and inserting "(A)"; following line 14, by inserting:

"(2) Sodium fluoroacetate predator control applications shall not be allowed.";

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

On page 12, in line 20, by striking "17" and inserting "16";

On page 16, in line 7, after "insurance" by inserting "or surety bond";

On page 1, in the title, in line 10, by striking "the current"; and the bill be passed as amended.

HB 2634, As Amended by House Committee, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Assessment and Taxation** recommends **SB 537** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Education** recommends **SB 427** be passed.

Also, **HB 2645** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2645," as follows:

"Senate Substitute for HOUSE BILL NO. 2645

By Committee on Education

"AN ACT concerning postsecondary education; relating to scholarship programs; removing limits on Kansas nursing service scholarship awards and modifying the interest rate terms and repayment obligations for such awards; abolishing the nursing service scholarship review committee; modifying financial limitations on Kansas hero's scholarship awards and broadening eligibility requirements for such awards; amending K.S.A. 74-3292, 74-3293, 74-3294, 74-3295, 74-3296, 74-3297 and 74-3298 and K.S.A. 2023 Supp. 75-4364 and repealing the existing sections; also repealing K.S.A. 74-3299.";

And the substitute bill be passed.

Committee on **Federal and State Affairs** recommends **HB 2358**, As Amended by House Committee, be amended on page 3, in line 1, by striking "cause of death"; also in line 1, after "certification" by inserting "of cause of death"; in line 4, by striking the second "a"; in line 10, by striking "cause of death"; also in line 10, after "certification" by inserting "of cause of death"; and the bill be passed as amended.

Also, **HB 2618** be amended on page 1, in line 26, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2614, **HB 2615**, be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Financial Institutions and Insurance** recommends **HB 2711**, As Amended by House Committee, be amended on page 1, following line 12, by inserting:

"Section 1. K.S.A. 2023 Supp. 74-4911 is hereby amended to read as follows: 74-4911. (1) Any employee of a participating employer other than an elected official on the entry date of such employer shall be a member of the system on either the entry date or the first day of the payroll period coinciding with or following the completion of one year of service, whichever is later, except that an employee of a participating employer who was first employed by a participating employer on or after July 1, 2008, but before July 1, 2009, shall be a member on July 1, 2009, and except that an employee who is first employed by a participating employer on or after July 1, 2009, shall be a member of the system on the first day of employment of such employee with such participating employer. On and after July 1, 2019, employees employed in direct support positions of

an affiliated employer organized under K.S.A. 19-4001, and amendments thereto, ~~and~~ or defined under K.S.A. 39-1803, and amendments thereto, may become a member of the system on the first day of the payroll period coinciding with or following the completion of a two-year period of training, whichever is later. For purposes of this act occasional breaks in service which shall not exceed an aggregate of 10 days in any such year shall not constitute a break in service for purposes of determining the membership date of such employee.

(2) Except as otherwise provided in this subsection, any employee other than an elected official who is employed by a participating employer after the entry date of such employer shall be a member of the system on the first day of the payroll period coinciding with or following completion of one year of continuous service. For purposes of this act, occasional breaks in service which shall not exceed an aggregate of 10 days in any such year shall not constitute a break in continuous service for purposes of determining the membership date of such employee. For purposes of this subsection, any employee of a local governmental unit which has its own pension plan who becomes an employee of a participating employer as a result of a merger or consolidation of services provided by local governmental units, which occurred on January 1, 1994, may count service with such local governmental unit in determining whether such employee has met the one year of continuous service requirement contained in this subsection.

(3) Any employee who is an elected official and is eligible to join the system shall file, within 90 days after taking the oath of office, an irrevocable election to become or not to become a member of the system. Such election shall become effective immediately upon making such election, if such election is made within 14 days of taking the oath of office or, otherwise, on the first day of the first payroll period of the first quarter following receipt of the election in the office of the retirement system. In the event that such elected official fails to file the election to become a member of the retirement system, it shall be presumed that such person has elected not to become a member.

(4) Except as otherwise required by USERRA, any employee other than an elected official who is in military service or on leave of absence on the entry date of such employee's employer shall become a member of the system upon returning to active employment or on the first day of the payroll period coinciding with or following the completion of one year of service, whichever is later. For purposes of this act, occasional breaks in service which shall not exceed an aggregate of 10 days in any such year shall not constitute a break in service for purposes of determining the membership date of such employee.

(5) Any employee of the state of Kansas other than an elected official, who is receiving or is eligible for assistance by the state board of regents in the purchase of a retirement annuity under K.S.A. 74-4925, and amendments thereto, and who becomes ineligible for such assistance because such employee's position is reclassified to a position in the classified service under the Kansas civil service act, or who becomes ineligible for such assistance because such person accepts and transfers to a position in the classified service under the Kansas civil service act shall be a member of the system on the first day of the payroll period coinciding with or following the effective date of such reclassification or transfer. Any such employee who became ineligible for such assistance prior to ~~the effective date of this act~~ April 15, 1977, because of such a

reclassification or such a transfer occurring prior to ~~the effective date of this act April 15, 1977,~~ and who is not a member of the system on ~~the effective date of this act April 15, 1977,~~ shall be a member of the system on the first day of the payroll period coinciding with or following ~~the effective date of this act April 15, 1977.~~

(6) Any employee of the state board of regents or of an educational institution under its management, other than an elected official, who is a member of the system and who becomes ineligible to be a member of the system because such employee's position is reclassified to a position under the Kansas civil service act which is eligible for assistance by the state board of regents in the purchase of a retirement annuity under K.S.A. 74-4925, and amendments thereto, or who becomes ineligible to be a member of the system because such employee transfers to a position under the Kansas civil service act which is eligible for such assistance, shall become eligible for such assistance in accordance with the provisions of K.S.A. 74-4925, and amendments thereto, unless such employee files a written election in the office of the retirement system, in the form and manner prescribed by the board of trustees thereof, to remain a member of the system prior to the first day of the first complete payroll period occurring after the effective date of such reclassification or transfer. Failure to file such written election shall be presumed to be an election not to remain a member of the system and to become eligible for assistance by the state board of regents in the purchase of a retirement annuity under K.S.A. 74-4925, and amendments thereto. Such election, whether to remain a member of the system or to become eligible for such assistance, shall be effective as of the effective date of such reclassification or transfer, and shall be irrevocable.

(7) Any elected official who at the time of becoming an elected official is already a member of the system by being or having been an employee of a participating employer shall continue as a member of the system.";

On page 6, in line 12, by striking the second "and" and inserting "or";

On page 18, in line 7, after "Supp." by inserting "74-4911 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "membership waiting period for direct support positions of community service providers;"; in line 6, after "organization" by inserting "or a community service provider affiliated with a community developmental disability organization"; in line 10, after "Supp." by inserting "74-4911 and"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2353, HB 2601, HB 2665** be passed.

Also, **HB 2144** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2144," as follows:

"Senate Substitute for HOUSE BILL NO. 2144

By Committee on Judiciary

"AN ACT concerning crimes, punishment and criminal procedure; creating the crime of organized retail crime and providing criminal penalties for violation thereof; relating to theft; increasing penalties for theft of certain property; relating to the Kansas racketeer influenced and corrupt organization act; including organized retail crime in the definition of racketeering activity; relating to the attorney general; authorizing the attorney general to prosecute specified crimes that are part of an alleged course of criminal conduct that occurred in two or more counties; amending K.S.A. 21-5801 and 21-6328 and K.S.A. 2023 Supp. 75-702 and repealing the existing sections.";

And the substitute bill be passed.

HB 2605, HB 2781 be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Public Health and Welfare** recommends **HB 2749**, As Amended by House Committee, be passed.

Committee on **Utilities** recommends **SB 284** be amended on page 1, in line 23, by striking "January 8, 2024" and inserting "November 1 of each year"; in line 24, after "legislature" by inserting "and the state corporation commission"; in line 25, by striking the period; by striking all in line 26; in line 27, by striking all before "shall" and inserting "and"; also in line 27, by striking "the" and inserting "such"; also in line 27, by striking "to enter into or renew such contract"; in line 29, after "the" by inserting "total"; in line 32, by striking all before "credit" and inserting "in the following calendar year by 12 equal monthly installment payments. Upon receipt of each such payment, the state treasurer shall deposit such amount in the state treasury and"; in line 33, by striking "(e)" and inserting "(d)"; also in line 33, by striking "(d)" and inserting "(c)";

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

On page 2, in line 28, by striking "Kansas";

On page 3, in line 15, after the first "the" by inserting "total"; in line 16, after "treasurer" by inserting "in the following calendar year by 12 equal monthly installment payments"; also in line 16, after "of" by inserting "each"; in line 17, by striking "it" and inserting "such amount"; and the bill be passed as amended.

Also, **HB 2527**, As Amended by House Committee, be amended on page 3, in line 9, by striking "all" and inserting "any";

On page 7, in line 37, by striking all after "(e)";

On page 8, in line 3, before "July" by inserting "(1) Except as provided in paragraph (2), on and after"; following line 7, by inserting:

"(2) Any reduction in revenue resulting from any discount provided pursuant to this section that was tracked by the public utility and deferred to a regulatory asset prior to July 1, 2024, shall be recoverable in any general rate proceeding initiated on or after July 1, 2024, through an equal percentage adjustment to the revenue requirement responsibility for all customer classes of the public utility, including the customer classes that include customers qualifying for discounts pursuant to this section."; and the bill be passed as amended.

Committee on **Ways and Means** recommends **HB 2491** be passed.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SR 1747, SR 1748, SR 1749 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 21, 2024.

On motion of Senator Alley, the Senate adjourned pro forma until Friday, 9:00 a.m. March 22, 2024.

Journal of the Senate

FIFTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 22, 2024, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2819**.

Financial Institutions and Insurance: **HB 2810**.

Utilities: **HB 2806**.

Ways and Means: **SB 557**; **Sub HB 2460**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **HB 2416** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2416," as follows:

"Senate Substitute for HOUSE BILL NO. 2416

By Committee on Assessment and Taxation

"AN ACT concerning adoption; relating to the expenses thereof; enacting the adoption savings account act; allowing individuals to establish adoption savings accounts with certain financial institutions; providing eligible expenses, requirements and restrictions for such accounts; requiring the secretary of revenue to adopt certain rules and regulations; granting nonexclusive marketing authority to the state treasurer; establishing addition and subtraction modifications for contributions to such accounts under the Kansas income tax act; amending K.S.A. 2023 Supp. 79-32,117 and repealing the existing section.";

And the substitute bill be passed.

Committee on **Federal and State Affairs** recommends **HB 2124** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2124," as follows:

"Senate Substitute for HOUSE BILL NO. 2124

By Committee on Federal and State Affairs

"AN ACT concerning alcoholic liquor; relating to microbreweries; permitting the sale of beer and hard cider manufactured by the licensee to retailers, public venues, clubs, drinking establishments, holders of temporary permits and caterers; allowing the sale of such beer and hard cider in unopened containers to consumers at special events monitored and regulated by the division of alcoholic beverage control; amending K.S.A. 41-308b, 41-410, 41-601, 41-701, 41-702, 41-703, 41-706, 41-708, 41-709, 41-

728, 41-1101, 41-1202 and 41-2642 and K.S.A. 2023 Supp. 41-1201 and repealing the existing sections.";

And the substitute bill be passed.

Also, **HB 2422** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2422," as follows:

"Senate Substitute for HOUSE BILL NO. 2422

By Committee on Federal and State Affairs

"AN ACT concerning gaming; relating to certification of gaming suppliers by the Kansas racing and gaming commission; exempting certain suppliers from such certification requirements; limiting adoption of rules and regulations by the commission; amending K.S.A. 2023 Supp. 74-8751 and 74-8772 and repealing the existing sections.";

And the substitute bill be passed.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of March 18 through March 22, 2024:

Senator Blasi: commending Connie Palacios for her outstanding contribution to her country and community during World War II;

Senator Faust Goudeau: extending official recognition to Sen. Donald Betts, commending Prisca Barnes and Storytime Village for outstanding literacy programs;

Senator Haley: congratulating Rev. Jimmie L. Banks on his retirement and commending his many contributions to Kansas;

Senator McGinn: congratulating Ty Lasher on his retirement and commending his career in public service;

Senator Reddi: congratulating Jadon Dunham on receiving the Manhattan Boys and Girls Club Youth of the Year Award; and

Senator Reddi and Senator Longbine: congratulating the Junction City H.S. Junior Reserve Officers Training Team – the Raiders – on receiving their third straight national team championship.

On motion of Senator Kloos, the Senate adjourned until 10:00 a.m., Monday, March 25, 2024.

Journal of the Senate

FIFTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 25, 2024, 10:00 a.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
The Vice President introduced L. D. Holmes to deliver the invocation:

Dear Father, we would ask You to come and sit beside us today as we discuss the business of our State. Your Word directs our minds and spirits to "Acquire Wisdom! Acquire understanding! Do not forsake her and she will guard you. Love her and she will watch over you."

Help us to turn off any negative thoughts or ideas which are not filtered through Your wisdom. You are the One who can help us to get understanding about what we hear and believe to know. If today You would want to impart new truth and understanding into our minds and spirits, we will do our best to listen and even possibly embrace.

We pray for Your protection and insight as we seek to find truth in the midst of often confusing and opposing ideas. Help us to see the big picture and not get caught up in the minutia of the moment.

We pray for the less fortunate, who are needing to be seen and acknowledged. They often live in a chaos they understand, yet do not see a pathway forward. Lighten their way I pray.

Bless our families who add so much purpose and value to our lives. We pray for our Nation and its leaders. Might wisdom and understanding walk with them as they make decisions which influences our very life. I pray these things in Jesus' Name.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION No. SCR 1621—

By Committee on Assessment and Taxation

A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; authorizing the legislature to limit property tax increases or provide property tax exemptions for residential property owned by and the principal place of residence of lawful permanent residents of Kansas who are 62 years of age or older or disabled.

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

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of article 11 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 1. **System of taxation; classification; exemption.** (a) The provisions of this subsection shall govern the assessment and taxation of property on and after January 1, 2013, and each year thereafter. Except as otherwise hereinafter specifically provided, the legislature shall provide for a uniform and equal basis of valuation and rate of taxation of all property subject to taxation. The legislature may provide for the classification and the taxation uniformly as to class of recreational vehicles and watercraft, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically provided, mineral products, money, mortgages, notes and other evidence of debt and grain.

The legislature may provide by law to limit tax increases on residential property that is owned by and the principal place of residence of a lawful permanent resident of Kansas who is 62 years of age or older or disabled while such property remains owned by and the principal place of residence of such eligible person or such eligible person's surviving spouse, or the legislature may exempt all or any portion of the appraised valuation of such property from ad valorem taxation. The legislature may provide for the transfer of all or any portion of the amount of a tax limitation or exemption for an eligible person who establishes a different qualifying property. The legislature may enact legislation to limit the application of this provision and enact such other legislation as is necessary to administer any limitation or exemption pursuant to this provision.

Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:

Class 1 shall consist of real property. Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located.....11½%
- (2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution.....30%
- (3) Vacant lots.....12%
- (4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code, and which is included in this subclass by law.....12%
- (5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed33%

- (6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use.....25%
- (7) All other urban and rural real property not otherwise specifically subclassified30%

Class 2 shall consist of tangible personal property. Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Mobile homes used for residential purposes.....11¹/₂%
- (2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100 mcf or less, which shall be assessed at 25%.....30%
- (3) Public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed33%
- (4) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985.....30%
- (5) Commercial and industrial machinery and equipment which, if its economic life is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost when new of such property.....25%
- (6) All other tangible personal property not otherwise specifically classified. . .30%

(b) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation."

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

"Explanatory statement. This amendment would authorize the legislature to limit property tax increases for residential property that is owned by and the principal place of residence of a lawful permanent resident of Kansas who is 62 years of age or older or disabled or to exempt all or any portion of the appraised valuation of such property from ad valorem taxation.

"A vote for this proposition would authorize the legislature to limit property tax increases for residential property that is owned by and the principal place of residence of a lawful permanent resident of Kansas who is 62 years of age or older or disabled while such property remains owned by and the principal place of residence of such eligible person or such eligible person's surviving spouse or to exempt all or any portion of the appraised valuation of such property from ad valorem taxation. The

amendment would also authorize the legislature to limit the application of the proposed provision, and to enact such other legislation as is necessary to administer any limitation or exemption pursuant to such provision.

"A vote against this proposition would provide no change to the Kansas constitution."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case the proposed amendment shall be submitted to the electors of the state at the special election.

MESSAGES FROM THE GOVERNOR

SB 307, SB 336, SB 431 approved on March 22, 2024

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2731, HB 2829, HB 2830, HB 2831**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2731, HB 2829, HB 2830, HB 2831 were thereupon introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

Citing Rule 11(b), Senator Olson motioned to withdraw **SB 110** from the Committee on **Assessment and Taxation** and advance the bill to the Calendar under the heading of **General Orders**, below the line.

Citing Rule 11(b), Senator Sykes motioned to withdraw **SB 554** from the Committee on **Federal and State Affairs** and advance the bill to the Calendar under the heading of **General Orders**, below the line.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator McGinn in the chair.

On motion of Senator McGinn the following summary report was adopted.

HB 2353, HB 2484, HB 2590, HB 2661, HB 2703, HB 2749 be passed.

SB 427, SB 524; HB 2665 be passed as amended by Committee of the Whole.

HB 2477, HB 2501, HB 2560, HB 2577, HB 2663 be passed as amended by the adoption of the committee reports.

SB 386, SB 488, be passed as amended by the adoption of the committee reports and as further amended by Committee of the Whole.

Sub SB 249, Sub SB 254;, SB 407, SB 532; Sub HB 2144; HB 2682 be passed over and retain a place on the calendar.

COMMITTEE OF THE WHOLE ACTIONS

Sub SB 249 be passed over and retain a place on the calendar.

Sub SB 254 be passed over and retain a place on the calendar.

SB 386 be amended by the adoption of the committee amendments, be further amended by motion of Senator Bowers; on page 3, in line 26, by striking "or";

On page 4, in line 8, before the period by inserting "; or

(D) for school year 2024-2025, the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year and the arithmetic mean of the sum of:

(i) The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year; and

(ii) the number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the second preceding school year"

SB 386 be further amended by motion of Senator Baumgardner; on page 3, in line 43, before the semicolon by inserting "year"

SB 407 be passed over and retain a place on the calendar.

SB 427 be amended by motion of Senator Blasi; on page 3, in line 31, by striking all after the comma; in line 32, by striking all before the period and inserting "during school hours or when there are school or community activities on such property"

SB 488 be amended by the adoption of the committee amendments, be further amended by motion of Senator Claeys; on page 4, in line 40, by striking "not more than five"; in line 42, before the period by inserting "as are necessary to administer the office of the inspector general";

On page 5, in line 4, by striking all after the period; by striking all in line 5; in line 6, after "five" by inserting "additional"; in line 7, after "general" by inserting "to perform the expanded duties established in subsection (b)(1) and in fiscal year 2025, expenditures for salaries and wages and other operating expenditures shall not exceed \$775,456 for such additional employees"

SB 524 be amended by motion of Senator Bowers; on page 5, following line 39, by inserting:

"Sec. 2. K.S.A. 82a-301 is hereby amended to read as follows: 82a-301. (a) (1) Except as provided in subsections (c) and (d), without the prior written consent or permit of the chief engineer of the division of water resources of the Kansas department of agriculture, it shall be unlawful for any person, partnership, association, corporation or agency or political subdivision of the state government to:

(A) Construct, modify or add to any dam;

(B) construct, modify or add to any water obstruction in a designated stream; or

(C) change or diminish the course, current; or cross section of any designated stream within this state.

(2) Any application for any permit or consent shall be made in writing in such form as specified by the chief engineer.

(3) Retentions for the purpose of stabilizing a caving bank ~~which that~~ are properly placed shall not be construed as obstructions for the purposes of this section.

(b) As used in K.S.A. 82a-301 et seq., and amendments thereto:

(1) (A) "Dam" means any artificial barrier including appurtenant works with the

ability to impound water, waste water or other liquids ~~that~~ and:

(i) For nonagriculture use, has a height of 25 feet or more; or has a height of six feet or ~~greater~~ more and a storage volume at the top of the emergency spillway elevation of 50 ~~or more~~ acre feet or more; or

(ii) for agriculture use, has a height of 30 feet or more or has a height of six feet or more and a storage volume at the top of the emergency spillway elevation of 125 acre feet or more and the primary purpose of which is for use in irrigation, livestock watering, commercial fish rearing and sale and the protection of agricultural land.

(B) The height of a dam or barrier shall be measured from the lowest elevation of the streambed, downstream toe or outside limit of the dam to the elevation of the top of the dam.

(2) "Designated stream" means a natural or man-made channel that conveys drainage or runoff from a watershed having an area of:

(A) One or more square miles in zone one, which includes all geographic points located in or east of Washington, Clay, Dickinson, Marion, Harvey, Sedgwick or Sumner counties;

(B) two or more square miles in zone two, which includes all geographic points located west of zone one and in or east of Smith, Osborne, Russell, Barton, Stafford, Pratt or Barber counties; or

(C) three or more square miles in zone three, ~~which includes~~ including all geographic points located west of zone two.

(c) (1) The prior written consent or permit of the chief engineer shall not apply to water obstructions that meet the following requirements:

(A) The change in the cross section of a designated stream is obstructed less than 5% and the water obstruction or change is contained within a land area measuring 25 feet or less along the stream length; or

(B) (i) the water obstruction is not a dam as defined in subsection (b);

(ii) the water obstruction is not located within an incorporated area;

(iii) every part of the water obstruction, and any water impounded by such obstruction, is located more than 300 feet from any property boundary; and

(iv) the watershed area above the water obstruction is five square miles or less.

(2) If the water obstruction does not meet the requirements of subsection (c)(1)(B) (iii), but meets all other requirements of subsection (c)(1)(B), such water obstruction may be exempted from the permitting requirements of subsection (a) if the chief engineer determines such water obstruction has minimal impact upon safety and property based upon a review of the information, to be provided by the owner, including:

(A) An aerial photo or topographic map depicting the location of the proposed project, the location of the stream, the layout of the water obstruction, the property lines and names and addresses of adjoining property owners; and

(B) the principal dimensions of the project including, but not limited to, the height above streambed.

(3) Notwithstanding any other provision of this section, the chief engineer may require a permit for any water obstruction described in this subsection if the chief engineer determines such permit is necessary for the protection of life or property.

(d) The prior written consent or permit of the chief engineer shall not be required for construction or modification of a hazard class A dam that at

~~(1) Has a height of less than 30 feet and a storage volume at the top of the emergency spillway elevation of less than 125 acre feet, and the dam location and dimensions have been registered with the division of water resources in a written form prescribed by the chief engineer; or~~

~~(2) is a wastewater storage structure for a confined feeding facility that has been approved by the secretary of health and environment pursuant to K.S.A. 65-171d, and amendments thereto.~~

(e) Any structure that means the provisions of subsection (b)(1) shall be considered a water obstruction and not a dam if the primary purpose of the structure is to serve as a:

(1) Dry detention road fill for state, county or municipal government; or

(2) low head dam that has a maximum height below the lowest stream bank.

Sec. 3. K.S.A. 82a-305a is hereby amended to read as follows: 82a-305a. (a) Any person, partnership, association, corporation or agency or political subdivision of the state government who violates any provision of this act or of any rule and regulation or order issued pursuant thereto shall be deemed guilty of a class C misdemeanor. Each day that any such violation occurs after notice of the original violation is served upon the violator by the chief engineer by restricted mail shall constitute a separate offense.

(b) Upon request of the chief engineer, the attorney general shall bring suit in the name of the state of Kansas in any court of competent jurisdiction to enjoin;

(1) The unlawful construction, modification, operation or maintenance of any dam or other water obstruction; or

(2) the unlawful change or diminution of the course, current or cross section of a river or stream. Such court may require the removal or modification of any such dam or other water obstruction by mandatory injunction.

(c) In addition to any other penalty provided for by law, any person who commits a violation of K.S.A. 82a-301 et seq., and amendments thereto, or any rule and regulation adopted thereunder, may be subject to a civil penalty of not less than \$100 but not more than \$500 per violation. In the case of a continuing violation, each occasion when the chief engineer provides notice that a violation has occurred or is occurring and action to correct the violation as specified by the chief engineer is not taken within seven days of receipt of such notice shall be considered a separate violation. Such civil penalty may be assessed in addition to any other penalty provided by law.

(d) No civil penalty shall be imposed pursuant to this section except on the written order of the chief engineer or duly authorized agent of the chief engineer.

(e) Any person aggrieved by an order of the chief engineer or the chief engineer's duly authorized agent pursuant to this section may appeal to the district court in the manner provided by the Kansas judicial review act.

(f) All moneys collected by the chief engineer pursuant to this section shall be deposited in the state treasury in accordance with K.S.A. 75-4215, and amendments thereto, and shall be credited to the water structures fund pursuant to K.S.A. 82a-328, and amendments thereto.";

Also on page 5, in line 40, by striking "is" and inserting ", 82a-301 and 82a-305a are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the semicolon and inserting "water"; also in line 2, by striking "such"

and inserting "irrigation district board of director"; in line 4, after "members" by inserting "; defining dam for both agriculture and nonagriculture use; clarifying structures that are water obstructions; providing a civil penalty for violations"; in line 5, after "42-706" by inserting ", 82a-301 and 82a-305a"; also in line 5, by striking "section" and inserting "sections"

SB 532 be passed over and retain a place on the calendar.

S Sub HB 2144 be passed over and retain a place on the calendar.

HB 2353 be passed.

HB 2477 be amended by the adoption of the committee amendments

HB 2484 be passed.

HB 2501 be amended by the adoption of the committee amendments.

HB 2560 be amended by the adoption of the committee amendments.

HB 2577 be amended by the adoption of the committee amendments.

HB 2590 be passed.

HB 2661 be passed.

HB 2663 be amended by the adoption of the committee amendments.

HB 2665 be amended by motion of Senator Blasi; on page 1, following line 8 by inserting:

"WHEREAS, The amendments made to K.S.A. 8-1602 by this act shall be known as Levi's law.

Now, therefore:"

HB 2682 be passed over and retain a place on the calendar.

HB 2703 be passed.

HB 2749 be passed.

A motion by Senator Olson pursuant to Rule 52 with Rule 53, to place **HB 2293** above the line for immediate consideration, failed to reach the required 2/3 majority and was rejected.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 24; Nays 12; Present and Passing 2; Absent or Not Voting 2.

Yeas: Baumgardner, Blasi, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Holland, Holscher, Longbine, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Steffen, Straub, Sykes, Tyson, Ware.

Nays: Alley, Erickson, Fagg, Gossage, Kerschen, Kloos, Peck, Ryckman, Shallenburger, Thompson, Warren, Wilborn.

Present and Passing: Billinger, Claeys.

Absent or Not Voting: Haley, Masterson.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2047** be amended by substituting with a new bill to be designated as "Senate Substitute for

HOUSE BILL NO. 2047," as follows:

"Senate Substitute for HOUSE BILL NO. 2047

By Committee on Agriculture and Natural Resources

"AN ACT concerning agriculture; relating to the farm animal and field crop and research facilities protection act; prohibiting entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas; providing penalties for violations therefor; removing the intent to destroy property; amending K.S.A. 47-1826 and 47-1827 and repealing the existing sections.";

And the substitute bill be passed.

The Committee on **Assessment and Taxation** recommends **SB 110** be amended on page 1, by striking all in lines 7 through 36;

By striking all on pages 2 through 9;

On page 10, by striking all in lines 1 through 32; following line 32, by inserting:

"Section 1. K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which

such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under

section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income

tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of

modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

~~(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and (1) For all taxable years beginning after December 31, 2007, and ending before January 1, 2024, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and (2) for all taxable years beginning after December 31, 2023, amounts received as benefits under the federal social security act that are included in federal adjusted gross income of a taxpayer.~~

(xix) Amounts received by retired employees of Washburn university as retirement

and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and

held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.";

Also on page 10, in line 33, by striking "2022" and inserting "2023";

On page 1, in the title, in line 3, by striking "2022" and inserting "2023"; and the bill be passed as amended.

Committee on **Commerce** recommends **HB 2648**, As Amended by House Committee, be passed.

Also, **HB 2483**, As Amended by House Committee, be amended on page 3, in line 7, by striking "two" and inserting "four"; in line 8, by striking "and" and inserting "or"; in line 9, by striking "third" and inserting "fifth"; and the bill be passed as amended.

SCR 1620 be adopted and, because the committee is of the opinion that the resolution is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Education** recommends **SB 428** be amended on page 1, in line 27, by striking all after "who"; by striking all in lines 28 through 30; in line 31, by striking all before "on" and inserting "scored at each of the levels 1, 2, 3 and 4"; and the bill be passed as amended.

Also, **SB 544** be amended on page 1, in line 10, by striking "academic excellence" and inserting "education opportunity"; in line 13, by striking "academic excellence" and inserting "education opportunity"; in line 23, by striking all before "scholarships" and inserting "education opportunity"; also in line 23, before "scholars" by inserting "education opportunity"; also in line 23, by striking "who"; in line 24, by striking all before the period; in line 25, by striking "academic excellence" and inserting "education opportunity"; in line 27, by striking "academically talented" and inserting "education opportunity"; in line 28, by striking "academically talented" and inserting "education opportunity"; in line 30, after "(A)" by inserting "(i)"; in line 32, by striking "(B)" and

inserting "(ii)"; in line 34, by striking "(C)" and inserting "(iii)"; in line 35, by striking all after the stricken material; by striking all in line 36;

On page 2, in line 1, by striking all before "has" and inserting:

"(iv) is a first generation student or has a parent who is employed in Kansas as a teacher or paraprofessional for any of the grades pre-K through 12; or
(B)";

Also on page 2, in line 2, by striking "academic excellence" and inserting "education opportunity"; in line 11, by striking all after the stricken material; in line 12, by striking all before "or" and inserting "postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto,"; in line 31, by striking "academically talented" and inserting "education opportunity"; in line 36, after "(6)" by inserting "'First generation student" means an individual who does not have a parent or guardian who has completed a baccalaureate degree.

(7)";

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

On page 3, in line 9, by striking "academic excellence" and inserting "education opportunity"; in line 12, by striking "academically talented" and inserting "education opportunity"; in line 13, by striking "academic excellence" and inserting "education opportunity"; in line 15, by striking "academically talented" and inserting "education opportunity"; in line 18, by striking all before "scholars" and inserting "education opportunity"; in line 20, by striking "academic excellence" and inserting "education opportunity"; in line 31, by striking all before "scholarship" and inserting "education opportunity"; in line 34, by striking "academic"; in line 35, by striking "excellence" and inserting "education opportunity"; in line 38, by striking "academic excellence" and inserting "education opportunity"; in line 39, by striking "academically talented" and inserting "education opportunity"; in line 42, by striking "academically talented" and inserting "education opportunity"; in line 43, by striking "academic excellence" and inserting "education opportunity";

On page 4, in line 2, by striking "academically"; in line 3, by striking "talented" and inserting "education opportunity"; also in line 3, by striking "academic"; in line 4, by striking "excellence" and inserting "education opportunity"; in line 9, by striking "academically talented" and inserting "education opportunity"; in line 10, by striking "academic excellence" and inserting "education opportunity"; in line 11, by striking "academically talented" and inserting "education opportunity"; in line 14, by striking "academic excellence" and inserting "education opportunity"; in line 15, by striking "academically"; in line 16, by striking "talented" and inserting "education opportunity"; also in line 16, by striking "academic excellence" and inserting "education opportunity"; in line 23, by striking "academic excellence" and inserting "education opportunity"; in line 25, by striking "academically talented" and inserting "education opportunity"; in line 26, by striking "academic excellence" and inserting "education opportunity"; in line 30, by striking "academic excellence" and inserting "education opportunity"; in line 34, by striking all before "scholarships" and inserting "education opportunity"; in line 37, by striking "academically talented" and inserting "education opportunity"; in line 40, by striking "academically talented" and inserting "education opportunity"; in line 41, by striking "academic excellence" and inserting "education opportunity"; in line 42, by striking "academically talented" and inserting "education opportunity"; in line 43, by

striking "academic excellence" and inserting "education opportunity";

On page 5, in line 1, by striking "academic"; in line 2, by striking "excellence" and inserting "education opportunity"; in line 4, by striking "academic excellence" and inserting "education opportunity"; in line 7, by striking "academic"; in line 8, by striking "excellence" and inserting "education opportunity"; in line 9, by striking "academically talented" and inserting "education opportunity"; in line 16, by striking "academic excellence" and inserting "education opportunity"; in line 22, by striking "academically talented" and inserting "education opportunity"; in line 23, by striking "academic excellence" and inserting "education opportunity"; in line 25, by striking all before "scholarship" and inserting "education opportunity"; in line 30, by striking "academic excellence" and inserting "education opportunity"; in line 34, by striking "academic excellence" and inserting "education opportunity"; in line 36, by striking "academically talented" and inserting "education opportunity"; in line 38, by striking "academic excellence" and inserting "education opportunity"; in line 41, by striking "academic"; in line 42, by striking "excellence" and inserting "education opportunity";

On page 6, in line 1, by striking all before "scholar" and inserting "education opportunity"; in line 2, by striking "academic excellence" and inserting "education opportunity"; in line 3, by striking "academically talented" and inserting "education opportunity"; in line 7, by striking "academically"; in line 8, by striking "talented" and inserting "education opportunity"; in line 10, by striking "academically talented" and inserting "education opportunity"; in line 16, by striking "academic excellence" and inserting "education opportunity"; in line 18, by striking "academically talented" and inserting "education opportunity"; in line 22, by striking "academic"; in line 23, by striking "excellence" and inserting "education opportunity"; in line 26, by striking "academic excellence" and inserting "education opportunity"; in line 27, by striking "academic excellence" and inserting "education opportunity"; in line 29, by striking "academic excellence" and inserting "education opportunity"; in line 30, by striking "academic excellence" and inserting "education opportunity";

On page 1, in the title, in line 2, by striking "academic excellence" and inserting "education opportunity"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2436** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2436," as follows:

"Senate Substitute for HOUSE BILL NO. 2436

By Committee on Federal and State Affairs

"AN ACT concerning abortion; relating to unlawful coercion to obtain an abortion; creating the crime of coercion to obtain an abortion; providing the penalties therefor; providing for enhanced criminal penalties for offenses committed with the intent to compel a woman to obtain an abortion; amending K.S.A. 21-6804 and repealing the existing sections.";

And the substitute bill be passed.

Committee on **Judiciary** recommends **HB 2490** be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 38-2360 is hereby amended to read as follows: 38-2360. (a) At any time after the juvenile has been adjudicated to be a juvenile offender, the court shall order one or more of the tools described in this subsection to be submitted to assist the court unless the court finds that adequate and current information from a risk and needs

assessment is available from a previous investigation, report or other sources:

(1) An evaluation and written report by a mental health or a qualified professional stating the psychological or emotional development or needs of the juvenile. The court also may order a report from any mental health or qualified professional who has previously evaluated the juvenile stating the psychological or emotional development needs of the juvenile. If the court orders an evaluation as provided in this section, a parent of the juvenile shall have the right to obtain an independent evaluation at the expense of the parent. If the evaluation indicates that the juvenile requires acute inpatient mental health or substance abuse treatment, the court shall have the authority to compel an assessment by the secretary for aging and disability services. The court may use the results to inform a treatment and payment plan according to the same eligibility process used for non-court-involved youth.

(2) A report of the medical condition and needs of the juvenile. The court also may order a report from any physician who has been attending the juvenile, stating the diagnosis, condition and treatment afforded the juvenile.

(3) An educational needs assessment of the juvenile from the chief administrative officer of the school ~~which that~~ the juvenile attends or attended to provide to the court information that is readily available which the school officials feel would properly indicate the educational needs of the juvenile. The educational needs assessment may include a meeting involving any of the following: (A) The juvenile's parents; (B) the juvenile's teacher or teachers; (C) the school psychologist; (D) a school special services representative; (E) a representative of the commissioner; (F) the juvenile's court appointed special advocate; (G) the juvenile's foster parents or legal guardian; and (H) other persons that the chief administrative officer of the school, or the officer's designee, deems appropriate.

(4) An evaluation of the juvenile's academic record by a jobs for America's graduates-Kansas administrator to aid in determining the juvenile's educational needs.

(5) A dyslexia screening by a member from the center for reading at Pittsburg state university or the Phillips fundamental learning center and a reading level assessment to aid in determining the juvenile's educational needs.

~~(6)~~ Any other presentence investigation and report from a court services officer ~~which that~~ includes: (A) The circumstances of the offense; (B) the attitude of the complainant, victim or the victim's family; (C) the record of juvenile offenses; (D) the social history of the juvenile; and (E) the present condition of the juvenile. Except where specifically prohibited by law, all local governmental public and private educational institutions and state agencies shall furnish to the officer conducting the predispositional investigation the records the officer requests. Predispositional investigations shall contain other information prescribed by the court.

~~(5)(7)~~ The court in its discretion may direct that the parents submit a domestic relations affidavit.

(b) A summary of the results from a risk and needs assessment shall be provided to the court post-adjudication, predisposition and used to inform supervision levels. A single, uniform risk and needs assessment shall be adopted by the office of judicial administration and the department of corrections to be used in all judicial districts. The office of judicial administration and the secretary of corrections shall establish cutoff scores determining risk levels of juveniles. Training on such risk and needs assessment shall be required for all administrators of the assessment. ~~Data shall be collected on the~~

~~results of the assessment to inform a validation study on the Kansas juvenile justice population to be conducted by June 30, 2020.~~

(c) Expenses for post adjudication tools may be waived or assessed pursuant to K.S.A. 38-2314(c)(2), and amendments thereto.

(d) Except as otherwise prohibited by law or policy, the court shall make any of the reports ordered pursuant to subsection (a) available to the attorneys and shall allow the attorneys a reasonable time to review the report before ordering the sentencing of the juvenile offender.

(e) At any time prior to sentencing, the judge, at the request of a party, shall hear additional evidence as to proposals for reasonable and appropriate sentencing of the case.

(f) If a juvenile is being held in detention, a dispositional hearing to sentence the juvenile offender shall take place within 45 days after such juvenile offender has been adjudicated.";

On page 2, in line 29, by striking all after the period; by striking all in line 30; in line 31, by striking "extension" and inserting "The court may only extend the overall case length limit two times, and each extension shall not exceed 60 days";

On page 3, in line 27, before "K.S.A." by inserting "K.S.A. 38-2360 and"; also in line 27, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the second semicolon by inserting "providing for evaluation of a juvenile's academic record, dyslexia screening and reading level assessment"; in line 2, by striking "90" and inserting "two extensions and 60"; in line 3, after "amending" by inserting "K.S.A. 38-2360 and"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Also, **HB 2583**, As Amended by House Committee, be amended on page 1, in line 12, by striking the third comma and inserting "or"; in line 16, by striking all after "(b)"; by striking all in lines 17 and 18; in line 19, by striking all before "is" and inserting "(1) Except as provided in paragraphs (2) and (3), violation of subsection (a)"; in line 20, by striking "this"; also in line 20, after "subsection" by inserting "(a)"; in line 30, by striking "(c) (1)" and inserting "(2)"; also in line 30, by striking "(2), inflicting harm" and inserting "(3), violation of subsection (a)"; in line 34, by striking all before "that" and inserting "(3) Violation of subsection (a)";

On page 2, in line 6, by striking "(3)" and inserting "(4)"; also in line 6, by striking all after "sentence"; in line 7, by striking all before the colon and inserting "imposed pursuant to paragraph (2) or (3)"; in line 8, by striking "under this subsection"; in line 14, by striking "(d)" and inserting "(5)"; in line 15, by striking all before the comma and inserting "this subsection"; in line 37, by striking all after "agency"; by striking all in line 38; in line 39, by striking all before the semicolon; in line 41, by striking all after "agency"; by striking all in line 42; in line 43, by striking all before the semicolon;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

HB 2675 be amended on page 2, in line 1, by striking "preceeding" and inserting "preceding"; in line 43, after "parent" by inserting "or person acting as a parent";

On page 3, in line 1, after "parent" by inserting "or person acting as a parent"; in line 21, after "parent" by inserting "or person acting as a parent"; in line 22, after the first "parent" by inserting "or person acting as a parent"; also in line 22, after the second

"parent" by inserting "or person acting as a parent"; in line 35, after "parent" by inserting "or person acting as a parent"; in line 36, after the first "parent" by inserting "or person acting as a parent"; also in line 36, after the second "parent" by inserting "or person acting as a parent"; in line 39, after "parent" by inserting "or person acting as a parent";

On page 4, in line 1, after "parent" by inserting "or person acting as a parent"; in line 25, after "parent" by inserting "or person acting as a parent";

On page 5, in line 13, after "Parent" by inserting "or person acting as a parent"; in line 14, by striking "custody of" and inserting "legal custody, residency or parenting time with"; in line 38, after "parent" by inserting "or person acting as a parent";

On page 6, in line 2, after "parent" by inserting "or person acting as a parent";

On page 7, in line 12, after "parent" by inserting "or person acting as a parent"; in line 22, after "parent" by inserting "or person acting as a parent"; in line 28, after "parent" by inserting "or person acting as a parent"; and the bill be passed as amended.

HB 2755, As Amended by House Committee, be amended on page 1, in line 13, by striking all after "judge"; by striking all in line 14; in line 15, by striking all before the period; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2751**, As Amended by House Committee, be amended on page 2, in line 29, after "day" by inserting "support"; in line 30, after the comma by inserting "social,"; also in line 30, by striking all after the second "skills"; by striking all in lines 31 through 41; in line 42, by striking all before the last period and inserting "for adults with intellectual or developmental disabilities that is licensed by the department or a separate and distinct dedicated division of a provider of day support services for development in self-help, social, recreational skills and work skills for adults with intellectual or developmental disabilities licensed by the department"; and the bill be passed as amended.

Also, **HB 2777**, As Amended by House Committee of the Whole, be amended on page 1, in line 7, after "(a)" by inserting "(1)";

Also on page 1, following line 13, by inserting:

"(2) Nothing in paragraph (1) shall be construed to prohibit the state fire marshal from collecting evidentiary photographic images of any violations discovered by the state fire marshal or the state fire marshal's designee during an inspection or investigation.";

On page 1, in the title, in line 4, before the period by inserting "creating an exception thereto for certain photographic evidentiary images";

And the bill be passed as amended.

HB 2784, As Amended by House Committee, be amended on page 3, in line 13, before "or" by inserting ", home plus";

On page 12, in line 14, by striking "On or before April 1 of each year,"; in line 16, before "the" by inserting "within four months of completion of such provider's fiscal year";

On page 13, in line 8, by striking all after "act"; in line 9, by striking "year" and inserting "within four months of completion of such provider's fiscal year"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 529** be amended on page 1, in line 20, by striking "the next" and inserting "any"; and the bill be passed as amended.

Also, **SB 542** be amended on page 1, in line 14, by striking "\$40,000,000" and inserting "\$15,000,000"; in line 16, by striking "\$40,000,000" and inserting "\$15,000,000"; in line 18, by striking "2" and inserting "3"; also in line 18, after "thereto" by inserting ": *Provided further*, That no moneys shall be expended from such account for the building of or capital improvements to a homeless shelter located within the boundaries of Sedgwick county precinct 606: *And provided further*, That all expenditures from the homeless shelter infrastructure grant account shall be used for the purposes of the building of or improvements to a homeless shelter as required by section 3, and amendments thereto, and shall be approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such expenditure shall be approved by the governor and six legislative members of the state finance council and such approval also may be given while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve the expenditure of moneys from the homeless shelter infrastructure grant account for the building of or improvements to a homeless shelter as required by section 3, and amendments thereto: *And provided further*, That each grant recipient shall receive 75% of the determined amount awarded by the above agency for fiscal year 2025";

Also on page 1, following line 18, by inserting:
 "Sec. 2.

KANSAS DEPARTMENT FOR
 AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2026, the following:

Homeless shelter infrastructure grant.....\$5,000,000

Provided, That expenditures shall be made from the homeless shelter infrastructure grant account in an amount not to exceed \$5,000,000 to administer a program pursuant to section 3, and amendments thereto: *Provided further*, That no moneys shall be expended for the building of or capital improvements to a homeless shelter located within the boundaries of Sedgwick county precinct 606: *And provided further*, That all expenditures from the homeless shelter infrastructure grant account shall be used for the purposes of the building of or improvements to a homeless shelter as required by section 3, and amendments thereto, and shall be approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such expenditure shall be approved by the governor and six legislative members of the state finance council and such approval also may be given while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve the expenditure of moneys from the homeless shelter infrastructure grant account for the building of or improvements to a homeless shelter as required by section 3, and amendments thereto: *And provided further*, That each grant recipient shall receive 25% of the determined amount awarded by the above agency for fiscal year 2026.";

Also on page 1, in line 19, after "(a)" by inserting "As used in this section:

(1) "Shelter" means any facility whose primary purpose is to provide temporary or transitional shelter for the general population or a specific population of homeless

individuals or families.

(2) "Wraparound services" means any program that serves the underlying vocational, behavioral or physical health needs of the general population or a specific population of homeless individuals or families.

(b)";

Also on page 1, in line 24, after the period by inserting "The secretary shall award at least 20% of the total amount appropriated for such grant program to counties with a population of less than 90,000."; in line 25, by striking "(b)" and inserting "(c)"; in line 31, by striking "housing"; in line 35, by striking "long-term";

On page 2, in line 2, by striking all after "(5)"; by striking all in line 3; in line 4, by striking "(6)"; also in line 4, after "vagrancy" by inserting "and comply with section 4, and amendments thereto;

(6) limit shelter space and wraparound services to persons with U.S. citizenship or lawful immigration status; and

(7) implement and enforce a policy that individuals seeking to stay overnight at such shelter shall not be under the influence of drugs or alcohol";

Also on page 2, in line 5, by striking "(c)" and inserting "(d)"; in line 7, after the period by inserting "The unit of local government may receive and use private moneys received by such unit for the purpose of meeting the matching dollar amount required by this section."; in line 8, by striking "(d)" and inserting "(e) On or before the 2025 regular session of the legislature, a unit of local government awarded funds under this section shall submit a report to the Kansas department for aging and disability services, the house of representatives committee on social services budget and appropriations and the senate committee on ways and means and any relevant subcommittee on enforcement actions required by subsection (b)(5) and outcomes measures from the awarded grants.

(f)";

Also on page 2, in line 9, after "ordinances" by inserting "and resolutions"; in line 10, after "vagrancy" by inserting ", implement and enforce a policy regarding drugs and alcohol"; in line 16, by striking "(e)" and inserting "(g)"; following line 28, by inserting:

"(h) An employee of the shelter and the unit of local government overseeing the shelter shall be liable for damages in a civil action for injuries suffered by a person staying in such shelter resulting from a failure or refusal to implement and enforce the policy described in subsection (b)(7).

Sec. 4. (a) All cities and counties shall adopt an ordinance or resolution, respectively, prohibiting unauthorized public camping, sleeping or obstructions of sidewalks without exceptions or conditions other than authorization by a temporary permit issued by such city or county.

(b) No city or county shall refuse to enforce such ordinance or resolution, respectively, prohibiting unauthorized public camping, sleeping or obstruction of sidewalks.

(c) A city or county shall not adopt a written policy prohibiting a law enforcement officer who is employed or otherwise under the direction or control of such city or county from enforcing any ordinance or resolution prohibiting unauthorized public camping, sleeping or obstruction of sidewalks.

(d) The provisions of this section shall not be construed to prohibit a city or county from adopting an ordinance or resolution that encourages or offers the provision of

services.

(e) Any person may bring a writ of mandamus for a violation of this section for the person and for the state.

Sec. 5. (a) As used in this section:

(1) "Drop off" means the act of transporting a homeless individual to a location within the state of Kansas different from the location where the party transporting such individual assumed custody, control or care of or provided treatment to such individual, including, but not limited to, directly providing or funding the transportation of such individual to such different location.

(2) "Homeless individual" means a person who has no access to or reasonably can be expected to not have access to either traditional or permanent housing that is considered safe, sanitary, decent and affordable.

(b) No city or county shall drop off a homeless individual outside such city's or county's jurisdiction within the state of Kansas unless:

(1) Such drop-off location is in the city where such individual was a resident prior to receiving healthcare services or treatment; or

(2) such drop off is at a facility or with a person, business or organization that has agreed to accept such individual.

(c) A city or county that violates this section shall be liable to any state agency, city or county within the state of Kansas for any costs incurred by such state agency, city or county for providing services to a homeless individual as a result of such violation.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "year" and inserting "years"; in line 2, after "2025" by inserting ", and June 30, 2026"; in line 6, after "treasury" by inserting "; requiring cities and counties to adopt ordinances and resolutions regarding camping and vagrancy; prohibiting the transportation of certain individuals; providing for exceptions thereof"; and the bill be passed as amended.

SB 552 be amended on page 1, in line 10, before "Section" by inserting "New"; in line 27, before "Sec." by inserting "New";

On page 2, in line 6, after "college" by inserting ", institute of technology"; in line 18, before "Sec." by inserting "New"; in line 23, before "Sec." by inserting "New"; also in line 23, by striking "postsecondary" and inserting "state"; in line 26, by striking "postsecondary" and inserting "state"; in line 28, by striking "postsecondary" and inserting "state"; in line 31, by striking "postsecondary" and inserting "state"; in line 40, before "Sec." by inserting "New";

On page 3, in line 6, after the second "college" by inserting ", institute of technology"; in line 9, before "Sec." by inserting "New"; in line 20, before "Sec." by inserting "New"; also in line 20, by striking "The board of regents shall submit a report"; in line 21, after "legislature" by inserting ";

(a) The board of regents shall submit a report";

Also on page 3, in line 25, after "construction" by inserting "; and

(b) each community college, technical college, institute of technology and municipal university shall submit a report on each institution's expenditures of moneys received pursuant to section 5(b), and amendments thereto, to the board of regents, the senate committee on ways and means, the house of representatives committee on appropriations and the house of representatives higher education budget committee";

Also on page 3, in line 26, before "Sec." by inserting "New"; following line 27, by

inserting:

"Sec. 9. K.S.A. 74-3201b is hereby amended to read as follows: 74-3201b. As used in the Kansas higher education coordination act:

(a) "Adult basic education program" and "adult supplementary education program" ~~have the meanings respectively ascribed thereto~~ mean the same as defined in K.S.A. 74-32,253, and amendments thereto.

(b) "Community college" means any community college established under the laws of this state.

(c) "Institute of technology" or "Washburn institute of technology" means the institute of technology at Washburn university.

(d) "Municipal university" means Washburn university of Topeka or any other municipal university established under the laws of this state.

(e) "Postsecondary educational institution" means any public university, municipal university, community college ~~and~~, technical college; and institute of technology. "Postsecondary educational institution" includes any entity resulting from the consolidation or affiliation of any two or more of such postsecondary educational institutions.

(f) "Private postsecondary educational institution" and "out-of-state postsecondary educational institution" ~~have the meanings ascribed thereto~~ mean the same as defined in K.S.A. 74-32,163, and amendments thereto.

(g) "Public university" means any state educational institution.

(h) "Representative of a postsecondary educational institution" means any person who is the holder of an associate degree, a bachelor's degree; or a certificate of completion awarded by a postsecondary educational institution.

(i) "State board of regents" or "state board" means the state board of regents provided for in the constitution of this state and established by K.S.A. 74-3202a, and amendments thereto, except as otherwise specifically provided in this act.

(j) "State educational institution" means any state educational institution; as defined in K.S.A. 76-711, and amendments thereto.

(k) "Technical college" means any technical college established under the laws of this state.

Sec. 10. K.S.A. 74-3201b is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, after "legislature" by inserting "; amending K.S.A. 74-3201b and repealing the existing section"; and the bill be passed as amended.

HB 2551 be amended on page 1, in line 27, by striking "Keeshawn" and inserting "Keeshawn";

On page 2, in line 28, by striking "park" and inserting "parks"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Tuesday, March 26, 2024.

Journal of the Senate

FIFTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 26, 2024, 10:00 a.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

God's Provision Of Grace And Mercy!
Hebrews 4:16; James 4:6

Heavenly Father, in humility, we come to Your throne today. The Hebrew writer hit it on the head when he said in Hebrews 4:16, "Let us approach the throne of grace with confidence, so that we may receive mercy and find grace to help us in our time of need."

And then You inspired James, the half brother of Jesus, to write in James 4:16, that You increase Your grace toward the humble, while You resist the prideful. Lord, the provision of Your grace is when You give us blessings, benefits and advantages that we need, but do not deserve. And the provision of Your mercy is when You relieve us; You withhold from us the harsh, painful punishment that we do deserve.

Lord, You spare us from the bad, but You also shower us with the good! And the reason we're able to enjoy our successes is because You furnish us generously with a balance. You're charitable with both Your grace and Your mercy.

So Lord, the work and the success we desire will only be realized through You, through Your grace and mercy. So Lord, I come embracing humility, rejecting pride and truly in need of Your grace and mercy.

In Jesus' Name, I pray, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to Committees as indicated:

Assessment and Taxation: **SCR 1621**.

Education: **HB 2731**.

Ways and Means: **HB 2829, HB 2830, HB 2831**.

MESSAGE FROM THE HOUSE

The House nonconcurrs in Senate amendments to **S Sub HB 2036**, requests a conference and has appointed Representatives Smith, A., Bergkamp and Sawyer as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2176**, requests a conference and has appointed Representatives Smith, A., Bergkamp and Sawyer as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2465**, requests a conference and has appointed Representatives Smith, A., Bergkamp and Sawyer as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2481**, requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2498**, requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2562**, requests a conference and has appointed Representatives Hoheisel, Clifford and Xu as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2530**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2531**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2532**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

Announcing passage of **SB 142, SB 331, SB 345, SB 381, SB 394, SB 405, SB 433, SB 434.**

Announcing passage of **SB 143**, as amended by **H Sub SB 143; SB 287**, as amended by **H Sub SB 287; SB 291**, as amended by **H Sub SB 291**.

Also, passage of **SB 292**, as amended; **SB 333**, as amended; **SB 359**, as amended; **SB 384**, as amended; **SB 406**, as amended; **SB 410**, as amended; **SB 423**, as amended; **SB 455**, as amended.; **SB 458**, as amended; **SB 462**, as amended; **SB 467**, as amended; **SB 473**, as amended.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointment submitted to the Senate for confirmation was considered:

Senator Alley moved the following appointment:

By the Governor

On the appointment to the:

State Civil Service Board:

Jordan Massey, Term ends March 15, 2026

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson,

Tyson, Ware, Warren, Wilborn.

The appointment was confirmed.

CONSIDERATION OF ORIGINAL MOTIONS

The motion by Senator Sykes on **SB 554** to withdraw from the Committee on **Federal and State Affairs** and advance the bill to **General Orders** below the line, was not adopted by the required 24 affirmative votes.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 12; Nays 27; Present and Passing 0; Absent or Not Voting 1.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: O'Shea.

EXPLANATION OF VOTE

Women across this country are concerned and scared, and they don't know what the future is of their reproductive rights. This was one step in showing that the Kansas Legislature cares about women who have trouble getting pregnant, and that we stand behind them and support their rights.—DINAH SYKES

Senators Holland and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **SB 554**.

Citing Rule 11(b), Senator Holscher motioned to withdraw **SB 551** from the Committee on **Federal and State Affairs** and advance the bill to the Calendar under the heading of **General Orders**, below the line.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Peck in the chair.

On motion of Senator Peck the following summary report was adopted:

HB 2446, HB 2628, HB 2648 be passed.

S Sub HB 2124 be passed by adoption of the committee report recommending a substitute bill.

S Sub HB 2144 be passed by adoption of the committee report recommending a substitute bill and as amended by Committee of the Whole.

HB 2483, HB 2547, HB 2551, HB 2583, HB 2607, HB 2690, HB 2715, HB 2787 be passed as amended by the adoption of the committee reports.

SB 532, HB 2487, HB 2675, HB 2754 be passed over and retain a place on the calendar.

COMMITTEE OF THE WHOLE ACTIONS

SB 532 be passed over and retain a place on the calendar.

HB 2124 be amended by adoption of the committee report recommending **S Sub HB 2124**.

HB 2144 be amended by adoption of the committee report recommending **S Sub HB 2144**, be amended by motion of Senator Warren; on page 8, in line 22, by striking "(A)"; in line 23, by striking all after the colon; by striking all in lines 24 through 43;

On page 9, by striking all in lines 1 through 20; in line 21, by striking all before the semicolon and inserting:

"(A) Organized retail crime as defined in section 1, and amendments thereto, and any other crime that is part of such alleged course of criminal conduct;

(B) theft as defined in K.S.A. 21-5801, and amendments thereto; and

(C) violations of the Kansas racketeer influenced and corrupt organizations act, K.S.A. 21-6327 et seq., and amendments thereto";

Also on page 9, in line 25, after "(c)(2)(A)" by inserting ", (c)(2)(B) or (c)(2)(C)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

A motion by Senator Corson to further amend **S Sub HB 2144** failed.

HB 2446 be passed.

HB 2483 be amended by the adoption of the committee amendments.

HB 2487 be passed over and retain a place on the calendar.

HB 2547 be amended by the adoption of the committee amendments.

HB 2551 be amended by the adoption of the committee amendments.

HB 2583 be amended by the adoption of the committee amendments.

HB 2607 be amended by the adoption of the committee amendments.

HB 2628 be passed.

HB 2648 be passed.

HB 2675 be passed over and retain a place on the calendar.

HB 2690 be amended by the adoption of the committee amendments.

HB 2715 be amended by the adoption of the committee amendments.

HB 2754 be passed over and retain a place on the calendar.

HB 2787 be passed over and retain a place on the calendar.

A motion by Senator Alley to reconsider previous action on **HB 2293** failed to reach the required 2/3 majority and was rejected.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 18; Nays 17; Present and Passing 3; Absent or Not Voting 2.

Yeas: Baumgardner, Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pittman, Pyle, Reddi, Steffen, Straub, Sykes, Tyson, Ware.

Nays: Alley, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Kerschen, Kloos,

Longbine, Peck, Petersen, Ryckman, Shallenburger, Thompson, Warren, Wilborn.

Present and Passing: Billinger, Gossage, Masterson.

Absent or Not Voting: McGinn, O'Shea.

A motion by Senator Olson pursuant to Rule 52 with Rule 53, to place **SB 110** above the line for immediate consideration, failed to reach the required 2/3 majority, and was rejected.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 19; Nays 16; Present and Passing 0; Absent or Not Voting 5.

Yeas: Baumgardner, Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Ware.

Nays: Alley, Bowers, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Peck, Ryckman, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Billinger, Blasi, Claeys, McGinn, O'Shea.

EXPLANATION OF VOTE

I have voted to repeal the income tax on social security many times, including this session, and I will again when given the opportunity. I support the underlying policy in the bill. However, this is a vote on a procedural maneuver outside the usual practices of the Senate - not a vote on the underlying policy in the bill, therefore, I vote no.—KELLIE WARREN

Senator Gossage, requests the record to show she concurs with the "Explanation of Vote" by Senator Warren on **SB 110**.

FINAL ACTION ON CONSENT CALENDAR

HB 2604, HB 2605, HB 2615, HB 2662, HB 2634, HB 2660, HB 2781, having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

HB 2604, AN ACT concerning civil procedure for limited actions; relating to the small claims procedure act; increasing the maximum dollar amount of a small claim thereunder; amending K.S.A. 61-2703 and 61-2706 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2605, AN ACT concerning the board of indigents' defense services; relating to appointed counsel; increasing the maximum rate paid to appointed counsel; amending K.S.A. 22-4507 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll,

Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2615, AN ACT concerning the publication of state laws and rules and regulations; relating to the publishing, printing and distributing thereof; removing state printer from timeline requirements for printing session laws; providing statewide elected officials and legislators to receive statute books and supplements upon request; requiring all administrative rules and regulations to be published electronically and eliminating the printing of volumes and supplements thereof; providing for the authenticating, preparing of searchable base and setting of prices of administrative rules and regulations by the secretary of state; amending K.S.A. 45-315, 77-165, 77-423, 77-429 and 77-435 and K.S.A. 2023 Supp. 77-138 and 77-430 and repealing the existing sections; also repealing K.S.A. 77-424 and 77-428 and K.S.A. 2023 Supp. 77-430a and 77-431.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2632, AN ACT concerning the law enforcement memorial advisory committee; expanding the membership thereof; amending K.S.A. 75-2251 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2634, AN ACT concerning water; relating to groundwater management districts; providing an additional corrective control provision for the chief engineer to consider when issuing orders of designations for local enhance management areas and intensive groundwater use control areas; amending K.S.A. 82a-1038 and 82a-1041 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2660, AN ACT concerning business entities; authorizing a change of registered office address by a current occupant under the business entity standard treatment act; changing the information required in an amendment to the articles of incorporation for a cooperative; relating to filings with the secretary of state; modifying requirements for business entity information reports; eliminating references to a certificate of fact; modifying filing requirements for registration of foreign covered entities; amending K.S.A. 17-2036, 17-2718, 17-4615, 17-4634, 17-4677, 17-7002, 17-7503, 17-7504, 17-7505, 17-7506, 17-76,136, 17-76,139, 17-7903 and 17-7931 and K.S.A. 2023 Supp. 56-1a605, 56-1a606, 56-1a607, 56a-1001, 56a-1201 and 56a-1202 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2781, AN ACT concerning the crime victims compensation board; relating to claims for compensation; allowing compensation for criminally injurious conduct; increasing the amount of awards and increasing the amount that can be transferred from the crime victims compensation fund to the crime victims assistance fund in each fiscal year; amending K.S.A. 75-752 and K.S.A. 2023 Supp. 74-7305 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 386, AN ACT concerning education; relating to the Kansas school equity and enhancement act; requiring school district enrollment to be determined using the current school year or preceding school year enrollment; amending K.S.A. 2023 Supp. 72-5132 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 33; Nays 6; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Doll, Francisco, Haley, Holland, Shallenburger, Ware.

Present and Passing: Pettey.

The bill passed, as amended.

EXPLANATION OF VOTE

I vote "NO" on **SB 386**. I understand the change to base school district funding on current enrollment figures but also recognize that, in districts that are losing population, it is helpful to have some funding to adapt to those circumstances. I appreciate the amendment added to the bill and would have been an "AYE" if the amendment applied to more than the one upcoming school year.—**MARCI FRANCISCO**

SB 427, AN ACT concerning education; relating to boards of education; requiring school districts to publicly list the names and email addresses of current board members; authorizing local school board members to add new items to board meeting discussions, ask questions or engage in discussion with members of the public and access school property; authorizing members of the public to address school boards at board meetings; authorizing payment of annual dues to any not-for-profit organization that provides services to member school districts; amending K.S.A. 72-1145 and 72-1416 and K.S.A. 2023 Supp. 72-1138 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 13; Nays 24; Present and Passing 3; Absent or Not Voting 0.

Yeas: Baumgardner, Blasi, Claeys, Erickson, Fagg, Kerschen, Kloos, Masterson, Petersen, Pyle, Steffen, Straub, Thompson.

Nays: Alley, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, O'Shea, Olson, Peck, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Tyson, Ware, Wilborn.

Present and Passing: Billinger, Gossage, Warren.

A constitutional majority having failed to vote in favor of the bill, **SB 427** did not pass.

EXPLANATION OF VOTE

SB 427 is a brazen overreach on local control of our duly elected school boards, forcing policies that are already available for each school board to adopt-brought by a few disgruntled school board members to this body. Making a law forcing two way communication at school board meetings can cause chaos in meetings that the board chair needs to keep orderly-a rule easily adopted at appropriate times as needed. Likewise allowing one member to set the agenda against the will of the majority works against parliamentary rules of the elected majority. And finally allowing unfettered access of rogue members has already been shown to have negative effects when they go on the hunt for evidence of conspiracies and false narratives. This overreach only hurts our kids and I vote no on **SB 427**.—**JEFF PITTMAN**

Senators Francisco, Pettey and Sykes request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **SB 427**.

Here we go again. Preempting local control is simply not a good idea. Our Kansas cities and counties are not identical by any measure you want to consider. To block Local Control in regard to our local school board functions is contrary to a provision of our constitution. I vote No on **SB 427**.—**MARY WARE**

Senator Francisco requests the record to show she concurs with the "Explanation of

Vote" offered by Senator Ware on **SB 427**.

SB 488, AN ACT concerning the attorney general; relating to the office of the inspector general and the powers, duties and responsibilities thereof; expanding the power of the inspector general to investigate and audit all state cash, food and health assistance programs; amending K.S.A. 75-7427 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 22; Nays 18; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claey's, Erickson, Fagg, Gossage, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

SB 488 is a bill that waste taxpayers dollars by funding positions and giving powers to the Inspector General to do a job that is already being done by DCF. This bill also perpetuates the idea that a poor Kansas mother who needs cash or food assistance is committing fraud. 1 in 7 Kansas children face hunger every day and 291,430 Kansans are facing hunger daily. Let's work to get families out of poverty not paint them as thieves. I vote No on **SB 488**.—PAT PETTEY

Senators Faust-Goudeau, Francisco and Sykes request the record to show they concur with the "Explanation of Vote" offered by Senator Pettey on **SB 488**.

SB 524, AN ACT concerning water; specifying when irrigation district board of director elections may be conducted by mail ballot; authorizing the board of directors to set the term for such elected members; defining dam for both agriculture and nonagriculture use; clarifying structures that are water obstructions; providing a civil penalty for violations; amending K.S.A. 42-706, 82a-301 and 82a-305a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2353, AN ACT concerning the care and treatment act for mentally ill persons; increasing the time allowed for an initial continued treatment order; adding criteria to determine when outpatient treatment may be ordered; amending K.S.A. 59-2958, 59-2959 and 59-2969 and K.S.A. 2023 Supp. 59-2967 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claey's, Corson, Dietrich, Doll,

Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2477, AN ACT concerning agriculture; relating to environmental remediation; increasing the maximum reimbursement from the Kansas agricultural remediation fund from \$200,000 to \$300,000 for an eligible person; increasing the amount available to the Kansas agricultural remediation board for administrative overhead expenses from \$150,000 to \$175,000; amending K.S.A. 2-3708 and 2-3710 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson.

The bill passed, as amended.

HB 2484, AN ACT concerning the behavioral sciences; relating to social work; enacting the social work licensure compact to provide interstate practice privileges; requiring applicants for social work licensure to submit to a criminal history record check; authorizing the behavioral sciences regulatory board to establish a fee for a license with compact practice privileges; amending K.S.A. 2023 Supp. 65-6314 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Olson, Pyle, Steffen, Straub, Tyson.

The bill passed.

HB 2501, AN ACT designating the Atchison, Topeka and Santa Fe #3415 as the official state steam locomotive and the Abilene and Smoky Valley Railroad as the official state heritage railroad, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Straub.

The bill passed, as amended.

HB 2560, AN ACT concerning financial institutions; relating to the state banking

code; providing when an application is considered abandoned or expired; allowing an originating trustee to have such trustee's principal place of business outside of Kansas; amending K.S.A. 9-535, 9-806, 9-1721 and 9-2107 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

The bill passed, as amended.

HB 2577, AN ACT concerning state moneys; relating to the investment and management thereof; providing discretionary authority to the state treasurer to transfer moneys certified as equivalent to the aggregate net amount received for unclaimed property to the board of trustees of the Kansas public employees retirement system and to liquidate such moneys for investment by the pooled money investment board or for necessary payments to owners of unclaimed property; amending K.S.A. 2023 Supp. 75-2263 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Steffen, Tyson.

The bill passed, as amended.

HB 2590, AN ACT concerning pipeline safety; relating to the state corporation commission; state pipeline safety program; violations; updating the maximum penalties that may be imposed by the commission to comply with requirements of the federal pipeline and hazardous materials safety administration; amending K.S.A. 66-1,151 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2661, AN ACT concerning boards of county commissioners; relating to vacancies created by an increase in the number of commissioner districts; providing for the staggering of terms of commissioners elected to fill such vacancies; amending K.S.A. 19-202, 19-203, 19-203a, 19-204 and 19-204a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2663, AN ACT concerning insurance; relating to title insurance; allowing title insurance agents to submit escrow, settlement and closing funds through certain real-time or instant payment systems; amending K.S.A. 40-1137 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2665, AN ACT concerning motor vehicles; relating to violations of the uniform act regulating traffic on highways; increasing criminal penalties for a driver who leaves the scene of a vehicular accident when the accident results in the death of any person or more than one person, if the driver knew or reasonably should have known that such accident resulted in injury or death; amending K.S.A. 8-1602 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2703, AN ACT concerning school districts; relating to at-risk programs and services; including placement in the custody of the secretary for children and families as a criteria for eligibility for such programs and services; amending K.S.A. 2023 Supp. 72-5153a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2749, AN ACT concerning abortion; relating to reports on abortions performed in this state; requiring the reporting of the reasons for each abortion performed at a medical care facility or by a healthcare provider; amending K.S.A. 2023 Supp. 65-445 and repealing the existing section, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed.

The Call was lifted.

EXPLANATION OF VOTE

I vote "NO" on **HB 2749**. The question that this bill requires to be asked has patients choose from a list of reasons for seeking an abortion; a list that is not complete yet does not offer an alternative for "other." Individuals should not have to justify their access to legal health care. The question is not medically necessary and yet it requires providers to interrogate their patients asking about their life circumstances. That questioning is not only disruptive but is likely to trigger trauma and create hardships for staff. Instead of asking for more and more detailed reports, I hope the legislature will work on finding ways to improve reproductive health care in Kansas.—MARCI FRANCISCO

Senators Haley, Holland, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Francisco on **HB 2749**.

I have a 20 year record of voting pro-life and I would have liked to have voted for this bill as well. But from listening to the debate yesterday, it clearly showed that there were a lot of flaws in this bill that I think could have unintended consequences regarding people's privacy. I don't think it clearly spelled out as to what the bill is going to do, how it will help pregnant women and decrease abortions. I hope that once it goes to conference they can clean up some of the language and I will have another opportunity at that time to vote for it.—CAROLYN MCGINN

I voted YES on **HB 2749** because the concept of gathering data to better understand abortion is a worthwhile endeavor. What we do know about abortion is that it is not a pathway to convenience or "the pursuit of happiness," because the "pursuit of happiness" is not convenient but rife with difficulties, like all great accomplishments, such as motherhood. Abortion is the pathway to a life of regret and emptiness, that I promise you. With today's technology, we all know that a "baby bump" is a baby, a living human being. Remember this statement as if your life depends on it. Every abortion kills an innocent child. That's a fact. Every abortion kills an innocent child.

—MARK STEFFEN

Senators Erickson, Straub and Thompson request the record to show they concur with the "Explanation of Vote" offered by Senator Steffen on **HB 2749**.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 306** from the Calendar under the heading of **General Orders**, and referred the bill to the Committee on **Ways and Means**.

REMOVE FROM CONSENT CALENDAR

An objection having been made to **SB 537**; **HB 2614** appearing on the Consent Calendar, the Vice President directed the bills be removed and placed on the calendar under the heading of **General Orders**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 435** be passed.

Also, **HB 2026** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2026," as follows:

"Senate Substitute for HOUSE BILL NO. 2026

By Committee on Assessment and Taxation

"AN ACT concerning taxation; relating to the local ad valorem tax reduction fund; requiring political subdivisions to adopt a budget that remains at or below revenue neutral and use funds to reduce property tax in order to receive fund distributions; providing for one annual transfer to the fund; relating to the county and city revenue sharing fund and the special city and county highway fund; eliminating the county and city revenue sharing fund and discontinuing certain transfers to the special city and county highway fund; amending K.S.A. 79-1479, 79-2960 and 79-2961 and K.S.A. 2023 Supp. 79-2959 and repealing the existing sections; also repealing K.S.A. 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 79-2964 and 79-3425i.";

And the substitute bill be passed.

HB 2201 be amended as recommended by the Senate Committee on Assessment and Taxation as reported in the Journal of the Senate on March 24, 2023, and the bill be further amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2201," as follows:

"Senate Substitute for HOUSE BILL NO. 2201

By Committee on Assessment and Taxation

"AN ACT concerning taxation; relating to income tax; decreasing the corporate income tax rate; eliminating unused tax credits relating to abandoned well plugging, agritourism liability insurance, assistive technology contributions, declared disaster capital investment, environmental compliance, owners promoting employment across Kansas and swine facility improvement; amending K.S.A. 65-7107 and K.S.A. 2023 Supp. 74-50,321 and 79-32,110 and repealing the existing sections; also repealing K.S.A. 79-32,204, 79-32,207, 79-32,222, 79-32,262 and 79-32,266 and K.S.A. 2023 Supp. 32-1438.";

And the substitute bill be passed.

HB 2819 be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2819," as follows:

"Senate Substitute for HOUSE BILL NO. 2819

By Committee on Assessment and Taxation

"AN ACT concerning sales taxation; relating to exemptions; providing a sales tax

exemption for exploration place, inc.; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section.";

And the substitute bill be passed.

SB 30, as recommended by the Senate Committee on Assessment and Taxation to be passed as reported in the Journal of the Senate on February 8, 2023, be amended on page 1, in line 7, by striking "2022" and inserting "2023"; in line 28, by striking "2023" and inserting "2024"; in line 29, by striking "this"; also in line 29, after "paragraph" by inserting "(2)(A) and any subsequent changes pursuant to this subparagraph";

On page 2, following line 2, by inserting:

"Sec. 2. K.S.A. 2023 Supp. 79-32,121 is hereby amended to read as follows: 79-32,121. (a) An individual shall be allowed a Kansas exemption of \$2,250 for each exemption for which such individual is entitled to a deduction for the taxable year for federal income tax purposes.

(b) In addition to the exemptions provided in subsection (a), any individual who has been honorably discharged from active service in any branch of the armed forces of the United States and who is certified by the United States department of veterans affairs or its successor to be in receipt of disability compensation at the 100% rate, if the disability is permanent and was sustained through military action or accident or resulted from disease contracted while in such active service, such individual shall be allowed an additional Kansas exemption ~~of \$2,250 in the amount prescribed in subsection (a) including any increases provided for pursuant to subsection (c)~~ for tax year ~~2023~~ 2024 and all tax years thereafter.

(c) In the case of tax year 2024, and all tax years thereafter, the amount prescribed in subsection (a) and any subsequent changes pursuant to this subsection shall be increased by an amount equal to such amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.";

Also on page 2, in line 3, by striking "2022" and inserting "2023"; also in line 3, by striking "is" and inserting "and 79-32,121 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "deduction" by inserting "and the Kansas personal exemption"; in line 3, by striking "2022" and inserting "2023"; also in line 3, after "79-32,119" by inserting "and 79-32,121"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

SB 306 be amended on page 1, by striking all in lines 8 through 36;

By striking all on pages 2 through 9;

On page 10, by striking all in lines 1 through 38; following line 38, by inserting:

"Section 1. K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income

tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643,

and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's

form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an

itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(xxix) For all taxable years beginning after December 31, 2021, any amount reported as a loss on any applicable federal income tax return arising from any investment, including any alternative asset investment, in a technology-enabled fiduciary financial institution as authorized by K.S.A. 9-2301 et seq., and amendments thereto. As used in this paragraph, "alternative asset" and "technology-enabled fiduciary financial institution" mean the same as defined in K.S.A. 9-2301, and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning

respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to

the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment

determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.";

Also on page 10, in line 39, by striking "2022" and inserting "2023";

On page 1, in the title, in line 4, by striking "2022" and inserting "2023"; and the bill be passed as amended.

Committee on **Commerce** recommends **SB 545** be passed.

Committee on **Financial Institutions and Insurance** recommends **SB 553** be amended on page 1, following line 7, by inserting:

"New Section 1. (a) Each utilization review entity, certified pursuant to K.S.A. 40-22a04, and amendments thereto, shall implement and maintain a prior authorization application programming interface, pursuant to 45 C.F.R. 156.223 (b), as in effect on January 1, 2028.

(b) Nothing in this section shall be construed to apply to a prior authorization request for coverage of drugs.

(c) As used in this section, "drug" means the same as defined in 45 C.F.R. 156.221 (b)(1)(v), as in effect on January 1, 2028.

(d) This section shall be a part of and supplemental to the utilization review organization act.

(e) This section shall be effective on January 1, 2028.";

Also on page 1, in line 8, by striking "Section 1." and inserting "Sec. 2."; in line 28, by striking "1" and inserting "2";

On page 2, in line 34, by striking "1" and inserting "2";

On page 4, in line 7, by striking "1" and inserting "2";

And by renumbering sections accordingly; and the bill be passed as amended.

And the substitute bill be passed.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SB 399, SB 424, SB 481 reported correctly enrolled, properly signed and presented to the Governor on March 26, 2024.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Wednesday, March 27, 2024.

Journal of the Senate

FIFTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 27, 2024, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Cecil T. Washington.
The Pledge of Allegiance was led by President Masterson.

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2510; Sub HB 2609; HB 2653, HB 2757,**

Announcing adoption of **HCR 5026.**

Announcing passage of **SB 360.**

Announcing passage of **SB 37,** as amended by **H Sub SB 37; SB 172,** as amended by **H Sub SB 172; SB 271,** as amended by **H Sub SB 271; SB 300,** as amended by **H Sub SB 300; SB 387,** as amended by **H Sub SB 387.**

The House adopts the Conference Committee report on **H Sub SB 233.**

Announcing passage of **SB 379, SB 362, SB 430.**

Announcing passage of **SB 318,** as amended by **H Sub SB 318; SB 419,** as amended by **H Sub SB 419; SB 420,** as amended by **H Sub SB 420; SB 232,** as amended by **H Sub SB 232; SB 349,** as amended by **H Sub SB 349.**

Announcing passage of **SB 414,** as amended; **SB 438,** as amended; **SB 500,** as amended.

The House nonconcurrs in Senate amendments to **HB 2392,** requests a conference and has appointed Representatives Ellis, Dodson, M. and Weigel as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2501,** requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2560,** requests a conference and has appointed Representatives Hoheisel, Clifford and Xu as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2663,** requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2760,** requests a conference and has appointed Representatives Ellis, Dodson, M. and Weigel as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2510; Sub HB 2609; HB 2653, HB 2757; HCR 5026 were thereupon introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

The motion by Senator Holscher on **SB 551** to withdraw from the Committee on **Federal and State Affairs** and advance the bill to **General Orders** below the line, was not adopted by the required 24 affirmative votes.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 9; Nays 28; Present and Passing 3; Absent or Not Voting 0.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Wilborn.

Present and Passing: Holland, Pittman, Warren.

EXPLANATION OF VOTE

As a majority owner of a Kansas firearms manufacturing company, I have a conflict of interest in voting on this bill. Therefore, I pass on voting on the motion.—TOM HOLLAND

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Longbine in the chair.

On motion of Senator Longbine the following summary report was adopted.

HB 2453, HB 2491, HB 2536, HB 2549, HB 2754 be passed.

SB 457; HB 2614 be passed as amended by Committee of the Whole.

S Sub HB 2047, S Sub HB 2436 be passed by adoption of the committee reports recommending substitute bills.

SB 426, SB 532, SB 544, SB 553; HB 2527; Sub HB 2570; HB 2588, HB 2618, HB 2675, HB 2784 be passed as amended by the adoption of the committee reports.

SB 367, SB 552; HB 2358, HB 2711 be passed as amended by the adoption of the committee reports and as further amended by Committee of the Whole

SCR 1609 be adopted.

COMMITTEE OF THE WHOLE ACTIONS

SB 367 be amended by the adoption of the committee amendments, be further amended by motion of Senator Thompson; on page 1, by striking all in lines 8 through 18; in line 28, after "(3)" by inserting "'Governmental agency" means the state or any agency or political subdivision or instrumentality thereof.

(4)";

Also on page 1, in line 31, after "(c)" by inserting "(1)"; in line 32, by striking "or the federal government"; in line 35, by striking "or"; by striking all in line 36;

On page 2, in line 1, by striking all before the period; also in line 1, after the period by inserting:

"(2) No governmental agency, including, but not limited to, any election official, shall knowingly accept or expend any moneys, directly or indirectly, from the federal government, except as provided in any acts of appropriation or as otherwise provided by state law, for any expenditures related to conducting, funding or otherwise facilitating the administration of an election pursuant to law or for any election-related activities, including, but not limited to, voter registration and voter assistance.";

And by renumbering sections accordingly

SB 426 be amended by the adoption of the committee amendments.

SB 457 be amended by motion of Senator Fagg; on page 3, in line 8, by striking "generation"

SB 532 be amended by the adoption of the committee amendments.

SB 544 be amended by the adoption of the committee amendments.

SB 552 be amended by the adoption of the committee amendments, be further amended by motion of Senator Billinger; on page 2, in line 21, after "2029," by inserting "and"; also in line 21, by striking all after "2030,"; in line 22, by striking all before "or";

On page 3, in line 1, by striking "2036" and inserting "2031"; in line 7, by striking "2036" and inserting "2031"; in line 38, by striking "2036" and inserting "2031"

SB 553 be amended by the adoption of the committee amendments.

HB 2047 be amended by the adoption of the committee report on **HB 2047** recommending **S Sub HB 2047**.

HB 2358 be amended by the adoption of the committee amendments, be further amended by motion of Senator Steffen; on page 3, in line 6, by striking all after "(d)"; by striking all in lines 7 and 8; in line 9, by striking "(e)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

HB 2436 be amended by the adoption of the committee report on **HB 2436** recommending **S Sub HB 2436**.

A motion by Senator Sykes to amend **S Sub HB 2436** failed.

HB 2453 be passed.

HB 2491 be passed.

HB 2527 be amended by the adoption of the committee amendments.

HB 2536 be passed.

HB 2549 be passed.

Sub HB 2570 be amended by the adoption of the committee amendments.

HB 2588 be amended by the adoption of the committee amendments.

HB 2614 be amended by motion of Senator Thompson; on page 6, in line 16, by striking "statute book" and inserting "Kansas register"

HB 2614 be further amended by motion of Senator Francisco; on page 2, in line 8, by striking "affected"; in line 9, by striking the second "of" and inserting "known to the

agency to be affected by"

HB 2618 be amended by the adoption of the committee amendments.

HB 2675 be amended by the adoption of the committee amendments.

HB 2711 be amended by the adoption of the committee amendments, be further amended by motion of Senator McGinn; on page 20, following line 22, by inserting:

"Sec. 6. K.S.A. 74-4989 is hereby amended to read as follows: 74-4989. (1) (a) Except as provided in paragraph (b), pursuant to the provisions of K.S.A. 74-49,128, and amendments thereto, upon the death of a retiree, the board of trustees of the Kansas public employees retirement system shall pay a lump-sum death benefit to: (i) The retiree's beneficiary ~~which that~~ shall not exceed ~~\$4,000~~ \$6,000 for such retiree, less any amount payable for funeral benefits under the applicable provisions of any local police or fire pension plan, as defined by ~~subsection (c)~~ of K.S.A. 12-5001(c), and amendments thereto; or ~~to (ii)~~ a funeral establishment as directed by the retiree and filed in the office of the system prior to such retiree's death.

(b) Notwithstanding the provisions of K.S.A. 74-4923, and amendments thereto, any amounts owed the system shall be deducted from such lump-sum death benefit.

(2) As used in this section, "retiree" means any person who is a member or special member of the Kansas public employees retirement system, the Kansas police and firemen's retirement system, the state school retirement system or the retirement system for judges and who has retired.

Sec. 7. K.S.A. 74-49,315 is hereby amended to read as follows: 74-49,315. A member's beneficiary shall be determined as provided in the pre-2015 plan. Upon filing a written application with the board after the death of a member receiving a benefit under ~~subsections (a) or (b)~~ of K.S.A. 74-49,313(a) or (b), and amendments thereto, the member's beneficiary is entitled to a ~~\$4,000~~ the lump-sum death benefit as provided in K.S.A. 74-4989, and amendments thereto.";

Also on page 20, in line 23, by striking the first "and" and inserting a comma; also in line 23, after "74-4957a" by inserting ", 74-4989 and 74-49,315";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the first semicolon by inserting "increasing the lump-sum death benefit;"; in line 12, by striking the first "and" and inserting a comma; also in line 12, after "74-4957a" by inserting ", 74-4989 and 74-49,315"

HB 2754 be passed.

HB 2784 be amended by the adoption of the committee amendments.

SCR 1609 be adopted.

Senator Olson moved **SCR 1609** be referred to the Committee on Judiciary. The motion failed.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 16; Nays 22; Present and Passing 0; Absent or Not Voting 2.

Yeas: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pyle, Reddi, Shallenburger, Steffen, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Peck, Petersen, Pittman, Ryckman, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: McGinn, O'Shea.

CONSIDERATION OF ORIGINAL MOTIONS

On motion of Senator Tyson, the Senate acceded to the request of the House for a conference on **S Sub HB 2036**.

The President appointed Senators Tyson, Peck and Holland as conferees on the part of the Senate.

On motion of Senator McGinn, the Senate acceded to the request of the House for a conference on **HB 2176**.

The President appointed Senators McGinn, Bowers and Francisco as conferees on the part of the Senate.

On motion of Senator Tyson, the Senate acceded to the request of the House for a conference on **HB 2465**.

The President appointed Senators Tyson, Peck and Holland as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2481**.

The President appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2498**.

The President appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2530**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2531**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2532**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2562**.

The President appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

S Sub HB 2124, AN ACT concerning alcoholic liquor; relating to microbreweries; permitting the sale of beer and hard cider manufactured by the licensee to retailers, public venues, clubs, drinking establishments, holders of temporary permits and caterers; allowing the sale of such beer and hard cider in unopened containers to consumers at special events monitored and regulated by the division of alcoholic beverage control; amending K.S.A. 41-308b, 41-410, 41-601, 41-701, 41-702, 41-703,

41-706, 41-708, 41-709, 41-728, 41-1101, 41-1202 and 41-2642 and K.S.A. 2023 Supp. 41-1201 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Peck, Steffen.

The substitute bill passed.

S Sub HB 2144, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of organized retail crime and providing criminal penalties for violation thereof; relating to theft; increasing penalties for theft of certain property; relating to the Kansas racketeer influenced and corrupt organization act; including organized retail crime in the definition of racketeering activity; relating to the attorney general; authorizing the attorney general to prosecute specified crimes that are part of an alleged course of criminal conduct that occurred in two or more counties; amending K.S.A. 21-5801 and 21-6328 and K.S.A. 2023 Supp. 75-702 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 30; Nays 10; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Francisco, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Haley, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

The substitute bill passed, as amended.

HB 2446, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages, was considered on final action.

On roll call, the vote was: Yeas 24; Nays 16; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Olson, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware.

The bill passed.

EXPLANATION OF VOTE

I vote "NO" on **HB 2446**. Home rule was enacted in 1960 as part of our constitution; Article 12, Section 5 of the Kansas Constitution "Powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measure of self-government." This home rule gives communities the ability to enact ordinances addressing their particular concerns. The City of Lawrence chose to

enact an ordinance to regulate single-use plastic bags based on detailed review, identification of concerns for public health and the environment, and the city's costs of recycling and solid waste collection. The ordinance went into effect on March 1st and has been well received. It may be appropriate to address these concerns on a state-wide basis, but this bill simply avoids the issues. The City of Lawrence should be able to continue and other communities throughout the state be given the opportunity to regulate plastic and other containers designed for the consumption, transportation or protection of merchandise, food, or beverages tailored to their solid waste programs and their needs.—MARCI FRANCISCO

Senator Holland requests the record to show he concurs with the "Explanation of Vote" offered by Senator Francisco on **HB 2446**.

I recall during the hearing on this bill an individual saying "this bill has been recycled more than actual plastic bags." It can take thousands of years for a plastic bag to decompose; it seems that is the same for this bill. Citizens want local governments to make decisions that reflect their unique communities - this bill violates the spirit of local control ingrained in the constitution. The biggest issue is **HB 2446** does nothing positive to address the bigger problem of plastic pollution in Kansas, rather it's a preemptive measure where once again the legislature overstepping it's boundaries.—CINDY HOLSCHER

Senators Francisco and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Holscher on **HB 2446**.

Here we go again! **HB 2446** ignoring Home Rule. The Kansas Chamber must be going into the plastics production business because this bill will insure that Kansas continues to be further buried in plastic waste. Adopted by Kansas voters in the 1960 general election and taking effect July 1, 1961, Article 12, Section 5 of the Kansas Constitution authorized cities to be "empowered to determine their local affairs and government."and thus significantly altering the relationship between the State and it's municipal governments. It ends by saying, the "powers and authority granted cities pursuant to this section shall be liberally construed for the purpose of giving to cities the largest measured of self government."—MARY WARE

HB 2483, AN ACT concerning audits; relating to the legislative division of post audit; eliminating the requirement for such division to conduct a recurring 911 implementation audit and a recurring Kansas public employees retirement system audit limiting recurring economic development incentive audits to new programs providing more than \$50,000 of annual incentives that have not previously been audited and have been recommended for review by the house or senate commerce committees; amending K.S.A. 12-5377 and 46-1137 and repealing the existing sections; also repealing K.S.A. 46-1136, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holland.

The bill passed, as amended.

EXPLANATION OF VOTE

Given the fact that Kansas' Secretary of Commerce also concurrently serves as Lieutenant Governor, the Commerce Department's economic development programs need more external oversight, not less. I vote NO on **HB 2483**.—TOM HOLLAND

HB 2547, AN ACT concerning schools; relating to student health; authorizing the maintenance of emergency medication kits for certain life-threatening conditions; requiring a prescription for distribution of emergency medication to schools; providing requirements for the administration of emergency medication by school personnel, training; exempting certain persons from the practice of healing arts and civil liability if acting in good faith; amending K.S.A. 65-1680, 65-2872b and 72-6283 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2551, AN ACT concerning certain claims against the state; making appropriations; authorizing certain transfers; imposing certain restrictions and limitations; directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2583, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public morals; increasing the criminal penalty for harming or killing certain dogs and horses; requiring restitution for such crime to include veterinary medical treatment, funeral and burial expenses and replacement of such animal; amending K.S.A. 21-6416 and 21-6604 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 25; Nays 15; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Francisco, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Petersen, Pittman, Ryckman, Steffen, Straub, Thompson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Haley, Holland, Holscher, Olson, Peck, Pettey,

Pyle, Reddi, Shallenburger, Sykes, Tyson, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

I vote NO on **HB 2583** which increases “criminal penalties for harming or killing certain (aka ‘police’) dogs...requiring restitution including veterinary medical treatment, funeral , burial expense and replacement of such animal.” As the solo sponsor, and multi-year advocate (prior to its’ passage), of the legislation creating a felony in Kansas for extreme cruelty or neglect of an animal (once referred to as “Scruffy’s Law”), my care and compassion for the treatment of animals has no, if any, legislative equal here in Kansas. But without a clarifying exemption of cases of self-defense (which several Circuit courts have affirmed), the oxymoron of a person being attacked by a vicious dog and not vigorously defend themselves, even killing the dog if necessary, to be held to a heightened legal system and excessive costs is unrealistic. In fact, it is cruel and inhumane against the human, in and of itself. Illustrations abound of cops, and near cops, siccing dogs on people for even petty reasons (including disturbing the peace; peaceably assembling; shoplifting; fleeing and eluding, etc...) where there were no issues of clear and present danger to any person or to general public safety. History is littered with tawdry examples of this raw abuse of over aggressive animal-conferred vicarious violence against men, women even juveniles. Indeed cases exist where compliant, even surrendering, individuals are yet attacked by dogs unresponsive to cease commands. Even bystanders and other police officers have been collateral victims. In that it only makes sense that a service animal may get hurt or killed while it is in the process of trying to hurt or to kill, I cannot support any measure that greatly penalizes a human for a natural response of self-defense. Accordingly, I strenuously vote AGAINST **HB 2583**.—DAVID HALEY

HB 2607, AN ACT concerning agriculture; relating to the Kansas department of agriculture; the Kansas pesticide law; the Kansas chemigation safety law; requiring supervision and training for uncertified applicators; clarifying definition of governmental agency; requiring applicants to file certificates of liability insurance or surety bonds in lieu of letters of credit or proof of an escrow; government agency certification for pesticide applications in the sodium cyanide predator control category; requiring direct supervision of registered pest control technicians by a certified commercial applicator when applying restricted use pesticides; expanding applicability of civil penalty provisions to any person or entity that violates the Kansas pesticide law; adding additional categories of qualification for certification and licensing; updating private applicator certificate requirements; allowing the secretary to establish a training program for initial certification of private applicators as an alternative to a written examination; requiring additional information in statements of service or contracts; government agencies to maintain records relating to each application of pesticide made by such government agency; applying the same criminal penalty to certified private applicators as other persons for violations of the Kansas pesticide law; removing the secretary's authority to deny, suspend, revoke or modify a permit if an applicant, registrant or permit holder has been convicted or pled guilty to a state or federal felony; amending K.S.A. 2-2438a, 2-2440, 2-2440b, 2-2440e, 2-2443a, 2-2444a, 2-2445a, 2-2446, 2-2448, 2-2449, 2-2450, 2-2455, 2-2461, 2-2467a and 2-3310 and repealing the

existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson.

The bill passed, as amended.

HB 2628, AN ACT concerning children and minors; relating to child fatality records; requiring the secretary for children and families to release certain information related to a child fatality when criminal charges are filed with a court alleging that a person caused such fatality; amending K.S.A. 2023 Supp. 38-2212 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2648, AN ACT concerning administrative rules and regulations; requirements for adoption of rules and regulations; providing that agency adjudications shall not be used to establish policies that are rules governing future private conduct that have the force of law; relating to economic impact statements; requiring legislative ratification for certain rules and regulations; requiring the director of the budget to review an agency's determination of implementation and compliance costs and disapprove proposed rules and regulations with incomplete or inaccurate economic impact statements; removing a requirement that legislative post audit conduct an audit in 2026 pertaining to economic impact statements; amending K.S.A. 2023 Supp. 77-415, 77-416 and 77-420 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed.

HB 2690, AN ACT concerning emergency communication services; establishing the state 911 board; abolishing the 911 coordinating council; transferring the powers, duties and functions of the 911 coordinating council to the state 911 board; authorizing the board to appoint an executive director and other employees to carry out the powers, duties and functions of the board; abolishing the 911 operations fund, the 911 state grant fund and the 911 state fund and establishing the state 911 operations fund, the state 911

grant fund and the state 911 fund in the state treasury; authorizing governing bodies of cities or counties to contract for the provision of 911 PSAP services with another governing body of a PSAP; increasing the amount of 911 fee distributions to PSAPs and governing bodies; amending K.S.A. 12-5362, 12-5363, 12-5364, 12-5365, 12-5366, 12-5367, 12-5368, 12-5368, as amended by section 16 of this act, 12-5368, as amended by section 17 of this act, 12-5369, 12-5370, 12-5371, 12-5372, 12-5374, 12-5374, as amended by section 23 of this act, 12-5374, as amended by section 24 of this act, 12-5375, 12-5375, as amended by section 26 of this act, 12-5375, as amended by section 27 of this act, and 12-5377 and repealing the existing sections; also repealing K.S.A. 12-5364, as amended by section 12 of this act, 12-5378 and 12-5379, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettet, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

The bill passed, as amended.

HB 2715, AN ACT concerning insurance; relating to the powers, duties and responsibilities of the commissioner of insurance; authorizing the commissioner of insurance to set the amount of certain fees; requiring the publication of such fees in the Kansas register; amending K.S.A. 40-205a, 40-218, 40-252, 40-2,133, 40-504, 40-956, 40-22a04, 40-2604, 40-2702, 40-3213, 40-3304, 40-3812, 40-3813, 40-4103, 40-4116, 40-4323, 40-4334, 40-4503, 40-5003 and 40-5509 and K.S.A. 2023 Supp. 40-3823, 40-3824, 40-4209, 40-4302 and 40-4903 and repealing the existing sections; also repealing K.S.A. 40-3217, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettet, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2787, AN ACT concerning property and casualty insurance; relating to the Kansas insurance guaranty association act; updating certain definitions, terms and conditions thereto; establishing continuity of guaranty fund coverage when a policy is transferred from one insurer to another and of guaranty fund coverage related to cybersecurity insurance; authorizing the commissioner of insurance to reduce the number of members of the association's board of directors; amending K.S.A. 40-2903, 40-2905, 40-2906 and 40-2910 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll,

Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Kloos the Senate nonconcurred in the House amendments to **SB 142** and requested a conference committee be appointed.

The Vice President appointed Senators Petersen, Kloos and Corson as a conference committee on the part of the Senate.

On motion of Senator Kloos the Senate nonconcurred in the House amendments to **H Sub SB 143** and requested a conference committee be appointed.

The Vice President appointed Senators Petersen, Kloos and Corson as a conference committee on the part of the Senate.

On motion of Senator Thompson the Senate nonconcurred in the House amendments to **H Sub SB 291** and requested a conference committee be appointed.

The Vice President appointed Senators Thompson, Kloos and Pittman as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 292** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Kloos the Senate nonconcurred in the House amendments to **SB 359** and requested a conference committee be appointed.

The Vice President appointed Senators Petersen, Kloos and Corson as a conference committee on the part of the Senate.

On motion of Senator McGinn the Senate nonconcurred in the House amendments to **SB 384** and requested a conference committee be appointed.

The Vice President appointed Senators McGinn, Bowers and Francisco as a conference committee on the part of the Senate.

On motion of Senator Baumgardner the Senate nonconcurred in the House amendments to **SB 438** and requested a conference committee be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a conference committee on the part of the Senate.

On motion of Senator Kloos the Senate nonconcurred in the House amendments to **SB 462** and requested a conference committee be appointed.

The Vice President appointed Senators Petersen, Kloos and Corson as a conference committee on the part of the Senate.

On motion of Senator Erickson the Senate nonconcurred in the House amendments to **SB 467** and requested a conference committee be appointed.

The Vice President appointed Senators Erickson, Dietrich and Reddi as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 458** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **SB 473** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

EMERGENCY FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority and **SB 367, SB 426, SB 457, SB 532, SB 544, SB 552, SB 553; HB 2047, HB 2358, HB 2436, HB 2453, HB 2491, HB 2527, HB 2536, HB 2549; Sub HB 2570, HB 2588, HB 2614, HB 2618, HB 2675, HB 2711, HB 2754, HB 2784; SCR 1609** were advanced to Final Action and roll call.

SB 367, AN ACT concerning elections; relating to the transparency in revenues underwriting elections act; prohibiting the use of funds provided by the United States government for the conduct of elections or election-related activities unless approved by the legislature; amending K.S.A. 25-2436 and repealing the existing section.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

SB 426, AN ACT concerning traffic regulations; relating to unlawful passing of stationary authorized emergency vehicle; increasing penalties for certain violations; creating a crime for injuring or causing death of certain authorized emergency vehicle operators and providing a penalty therefor; amending K.S.A. 8-1530, 8-2116 and 8-2118 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Peck.

The bill passed, as amended.

SB 457, AN ACT concerning public utilities; relating to eminent domain; prohibiting public utilities from exercising eminent domain for the siting or placement of solar facilities; amending K.S.A. 2023 Supp. 66-104 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware,

Warren, Wilborn.

Present and Passing: Blasi, Haley.

The bill passed, as amended.

SB 532, AN ACT concerning education; relating to literacy; establishing the Kansas blueprint for literacy; creating a literacy advisory committee; directing the state board of regents to appoint a director of literacy education and develop a comprehensive assessment system; requiring the state board of regents and the state board of education to collaborate on a literacy micro-credential and professional development; authorizing the state board of regents to recommend diagnostic and formative literacy assessments; authorizing university presidents and deans of education oversight over postsecondary literacy courses; requiring a plan to establish centers of excellence in reading.

On roll call, the vote was: Yeas 35; Nays 3; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Steffen, Tyson.

Present and Passing: Erickson, Gossage.

The bill passed, as amended.

SB 544, AN ACT concerning postsecondary education; relating to scholarship programs; establishing the Kansas education opportunity scholarship program to replace the Kansas ethnic minority scholarship program; amending K.S.A. 74-3284, 74-3285, 74-3286, 74-3287, 74-3288 and 74-3289 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 552, AN ACT concerning the state board of regents; enacting the Kansas campus restoration act; relating to deferred maintenance and demolition of facilities at postsecondary educational institutions; authorizing the board to adopt rules and regulations; establishing the Kansas campus restoration fund in the state treasury; authorizing certain transfers from the state general fund to the Kansas campus restoration fund; requiring annual reports be submitted to certain committees of the legislature; amending K.S.A. 74-3201b and repealing the existing section.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Erickson, Gossage, McGinn, Pyle, Steffen, Tyson.

The bill passed, as amended.

SB 553, AN ACT concerning insurance; relating to health insurance; permitting a plan sponsor to authorize electronic delivery of plan documents and identification cards for certain insured individuals covered by a health benefit plan; amending K.S.A. 40-5801, 40-5803 and 40-5804 and repealing the existing sections; also repealing K.S.A. 40-5802.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

S Sub HB 2047, AN ACT concerning agriculture; relating to the farm animal and field crop and research facilities protection act; prohibiting entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas; providing penalties for violations therefor; removing the intent to destroy property; amending K.S.A. 47-1826 and 47-1827 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed.

HB 2358, AN ACT concerning public health; relating to the uniform vital statistics act; certification of an individual's cause of death; permitting cause of death certifiers to provide certification thereto; amending K.S.A. 65-2401 and 65-2412 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Peck.

The bill passed, as amended.

S Sub HB 2436, AN ACT concerning abortion; relating to unlawful coercion to obtain an abortion; creating the crime of coercion to obtain an abortion; providing the penalties therefor; providing for enhanced criminal penalties for offenses committed with the intent to compel a woman to obtain an abortion; amending K.S.A. 21-6804 and repealing the existing sections.

On roll call, the vote was: Yeas 27; Nays 11; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Dietrich, Faust-Goudeau.

The substitute bill passed.

EXPLANATION OF VOTE

Our country has a long history of reproductive coercion. From the forced sterilization of poor people and people of color in the 1800s, to the more recent practice of interfering with women's ability to take or not take birth control, over and over again women's autonomy in reproductive healthcare decision-making has been taken away. This bill continues that trend, by allowing Kansas politicians to pick and choose when we think a woman is being coerced. I introduced an amendment to protect the right of a woman to have an honest conversation with her doctor about all reproductive care. If this body really cared about stopping the coercion of women, we would have adopted my amendment to ensure women are the ones making decisions about their healthcare. A doctor should be able to have an honest conversation with their patient about their pregnancy or birth control options, and give them the information that they need to make the best decision possible. This bill puts that right in jeopardy. I vote NO.—DINAH SYKES

HB 2453, AN ACT concerning health and healthcare; relating to dentists and dental hygienists; enacting the dentist and dental hygienist compact to provide interstate practice privileges for dentists and dental hygienists.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Steffen, Tyson.

The bill passed.

HB 2491, AN ACT concerning the law enforcement training center; abolishing the law enforcement training center fund; transferring all moneys and liabilities of such fund to the state general fund; crediting moneys to the state general fund that had previously been credited to the law enforcement training center fund; amending K.S.A. 8-145, 8-1,177, 12-4117, 20-362 and 74-5619 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson,

Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2527, AN ACT concerning public utilities; relating to the state corporation commission; authorizing public utilities to defer to a regulatory asset and recover depreciation expenses relating to certain rate base additions; establishing a cap on such cost recovery and limiting the time that such cost recovery may be implemented by a public utility; authorizing new economic development electric rates for large facilities; limiting the time that such economic development rates for large facilities may be implemented by a public utility; prohibiting any revenue lost through the implementation of economic development rates from being imputed into the electric public utility's revenue requirement; authorizing a rate adjustment mechanism for the construction of new gas-fired electric generating facilities; limiting the time that such rate adjustment mechanism may be implemented by a public utility; extending the timeline for the commission to make a determination of ratemaking principles and treatment prior to a public utility constructing or acquiring a stake in an electric generation or transmission facility; establishing procedural requirements to support the timely completion of such proceedings; amending K.S.A. 2023 Supp. 66-101j and 66-1239 and repealing the existing sections.

On roll call, the vote was: Yeas 35; Nays 2; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Tyson.

Present and Passing: Blasi, Gossage, Haley.

The bill passed, as amended.

HB 2536, AN ACT concerning children and minors; relating to the revised Kansas code for care of children; establishing SOUL family legal permanency as a permanency option for children in need of care who are 16 years of age or older; allowing courts to establish SOUL family legal permanency; defining SOUL family legal permanency; reconciling definition of behavioral health crisis in the revised Kansas code for care of children; amending K.S.A. 38-2234, 38-2263, 38-2264, 38-2266 and 38-2268 and K.S.A. 2023 Supp. 38-2202, 38-2203 and 38-2255 and repealing the existing sections; also repealing K.S.A. 2023 Supp. 38-2202a.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2549, AN ACT concerning adoption; relating to the Kansas adoption and relinquishment act, adoption, termination of parental rights; requiring notice of a hearing on a petition for adoption, petitions to be filed as part of a petition for adoption or in connection with an adoption; setting requirements for petitions filed separately

from adoption proceedings; amending K.S.A. 2023 Supp. 59-2133 and 59-2136 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

Sub HB 2570, AN ACT concerning employment security law; relating to the definition of benefit year, temporary unemployment, wages subject to assessment for employer contributions, statewide average annual wage and statewide average weekly wage; referencing certain new definitions for purposes of the annual determination by the secretary of the maximum weekly benefit amount; requiring electronic filing of wage reports, contribution returns and payments and interest assessments for employers with 25 or more employees; establishing minimum qualifications for candidates for membership on the employment security board of review and initial review of such candidates by the director of unemployment; extending when the mandatory combination of rates and the establishment of a new account due to a business acquisition must occur from the beginning of the following quarter to the beginning of the following year; making certain changes to the schedules governing employer contribution rates; removing obsolete language pertaining to the employment security interest assessment fund and abolishing such fund; requiring the secretary to create an audit process within the new unemployment insurance information technology system to permit employers to submit reports regarding work search, the my reemployment plan and claimants who do not provide notification or appear for scheduled interviews; providing for notices by the secretary to active employers regarding work search noncompliance reporting options; confirming the legislative coordinating council's authority to extend the new unemployment insurance information technology system's implementation date retroactively and as often as deemed appropriate by the council; requiring the secretary to notify the council of the need for an extension; authorizing the secretary to extend temporary unemployment for limited periods upon request by employers and allowing for additional temporary unemployment when requested by employers engaged in certain industries; requiring the secretary to annually post on the secretary's website certain additional calculations and data and to prepare an annual certification memorandum; changing the timing of employer benefit charge notices from annually to quarterly; removing the exemption for benefit charges less than \$100; providing that school bus drivers employed by private contractors are eligible for workshare; allowing a one-time write off for negative account balance employers by the secretary of such employers negative reserve account balance as of August 21, 2025; extending the publication deadline for contribution rate tables prepared by the secretary; providing that the secretary suspend state unemployment benefits for claimants who are receiving federal unemployment benefits; amending K.S.A. 44-704, 44-705, 44-706, 44-709, 44-710, 44-710b, 44-717, 44-757, 44-771, 44-772 and 44-774 and K.S.A. 2023 Supp. 44-703, 44-710a and 44-775 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2588, AN ACT concerning electric public utilities; relating to net metering; increasing the system-wide capacity limit for facilities subject to net metering; requiring such facilities to be appropriately sized based on the customer's expected load; establishing requirements for exporting power to a utility from a facility subject to net metering; amending K.S.A. 66-1264, 66-1265, 66-1266 and 66-1267 and repealing the existing sections.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Ware, Warren, Wilborn.

Nays: Baumgardner, Erickson, Steffen, Straub, Thompson, Tyson.

Present and Passing: Blasi, Haley.

The bill passed, as amended.

HB 2614, AN ACT concerning administrative rules and regulations; requiring state agencies to provide notice of revocation thereof; removing certain abolished or inactive state agencies from the five-year state agency review requirement; amending K.S.A. 2023 Supp. 77-426 and 77-440 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2618, AN ACT concerning elections; relating to the election crime of false representation of an election official; requiring specific intent of the offender as an element of such criminal offense; amending K.S.A. 25-2438 and repealing the existing section.

On roll call, the vote was: Yeas 29; Nays 9; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Haley, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Francisco, Holland.

The bill passed, as amended.

HB 2675, AN ACT concerning children and minors; enacting the uniform nonparent visitation act; removing provisions related to grandparent and stepparent visitation rights; repealing K.S.A. 23-3301, 23-3302, 23-3303 and 23-3304.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2711, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; membership waiting period for direct support positions of community service providers; increasing the lump-sum death benefit; employment after retirement; increasing the amount of retiree compensation subject to the statutory employer contribution rate; providing an exemption for retirants employed by a community developmental disability organization or a community service provider affiliated with a community developmental disability organization in a licensed professional nurse, licensed practical nurse or direct support position; increasing the earnings limit for members of the Kansas police and firemen's retirement system; amending K.S.A. 74-4937, 74-4957, 74-4957a, 74-4989 and 74-49,315 and K.S.A. 2023 Supp. 74-4911 and 74-4914 and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Peck, Steffen.

The bill passed, as amended.

HB 2754, AN ACT concerning counties; relating to public health; authorizing counties to exempt from the requirement to perform school safety inspections; amending K.S.A. 19-101a and K.S.A. 2023 Supp. 65-202 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2784, AN ACT concerning adult care homes; relating to continuing care retirement communities; transferring authority for certification of such facilities from the Kansas insurance department to the Kansas department for aging and disability services; amending K.S.A. 39-923, 40-2231, 40-2232, 40-2233, 40-2234, 40-2235 and

40-2238 and K.S.A. 2023 Supp. 39-936 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SCR 1609, A CONCURRENT RESOLUTION making application to the Congress of the United States to call a limited national convention for the exclusive purpose of proposing an amendment to the Constitution of the United States establishing term limits for members of Congress.

On roll call, the vote was: Yeas 24; Nays 15; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pittman, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holscher, McGinn, Olson, Pettey, Pyle, Reddi, Shallenburger, Sykes, Ware.

Present and Passing: Holland.

The resolution was not adopted by the required two-thirds majority vote.

EXPLANATION OF VOTE

I voted YES for **SCR 1609** but what I really want to know is, if here was a theoretical run-away convention, who gets the ridiculous \$34 trillion dollar debt?—MARK STEFFEN

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 233** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 2, in line 39, after "(c)" by inserting "or (d)";

On page 3, following line 37, by inserting:

"(d) If a healthcare provider has initiated a course of treatment for a child that includes prescribing, administering or dispensing of a drug prohibited by subsection (a) (2), (a)(3), (b)(2) or (b)(3) prior to the effective date of this act, the healthcare provider may continue such course of treatment if the healthcare provider:

- (1) Develops a plan to systematically reduce the child's use of such drug;
- (2) determines and documents in the child's medical record that immediately terminating the child's use of such drug would cause harm to the child; and
- (3) such course of treatment shall not extend beyond December 31, 2024.";

On page 10, in line 43, by striking "statute book" and inserting "Kansas register";

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR

JOHN EPLEE

Conferees on part of House

BEVERLY GOSSAGE

RENEE ERICKSON

Conferees on part of Senate

Senator Gossage moved the Senate adopt the Conference Committee Report on **H Sub SB 233**.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

I have heard from Kansans in my district who overwhelmingly do not support children undergoing gender re-assignment surgery. Their anger regarding physicians and parents allowing surgeries on minors is palpable. I have always agreed with the position, but my concern in the past, which was not addressed until now, was the harm that would be caused from abruptly stopping the hormone therapy piece. Negotiations in Conference Committee this year recognized the result of stopping that therapy immediately and made some changes to allow for a gradual reduction. For that reason, I vote yes.—BRENDA DIETRICH

This bill is anti-freedom. This bill is anti-bodily autonomy. This bill is yet another example of Kansas governmental intrusion and harassment. Yet the most insidious part of this bill is that it literally rips children away from their parents in their most vulnerable time of need. I vote NO on the motion to concur on **H Sub SB 233**.—TOM HOLLAND

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Holland on **H Sub SB 233**.

I voted YES on **H Sub SB 233** to protect our troubled children from wayward parents and a wayward healthcare system. To "Do No Harm," entails not disfiguring minors with drugs or knives, but helping them deal with their issues constructively.—

MARK STEFFEN

Senators Straub and Thompson request the record to show they concur with the "Explanation of Vote" offered by Senator Steffen on **H Sub SB 233**.

RULED MATERIALLY CHANGED

The President ruled the changes made to **H Sub SB 300** materially changed the bill and rereferred the bill to Assessment and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **HB 2101**, As Amended by House Committee, be amended on page 1, in line 6, before "Section" by inserting "New"; in line 23, before "Sec." by inserting "New"; also in line 23, before "Any" by inserting "(a)"; following line 25, by inserting:

"(b) Following the notice and opportunity to cure provided for in section 4(c), and amendments thereto, the buyer shall have 15 days to:

(1) Record a record of release of affidavit of equitable interest or contract for deed, if such affidavit or contract were recorded; and

(2) vacate the premises, if applicable.

(c) If the buyer fails to satisfy the conditions under subsection (b), then such buyer shall be responsible for the seller's reasonable attorney fees, costs and expenses for the removal of the affidavit of equitable interest or contract of deed from the title and eviction of the buyer from the premises, if applicable.";

Also page 1, in line 26 before "Sec." by inserting "New";

On page 2, in line 14, before "Sec." by inserting "New"; following line 41, by inserting:

"Sec. 5. K.S.A. 58-3065 is hereby amended to read as follows: 58-3065. (a) Willful violation of any provision of this act or the brokerage relationships in real estate transactions act is a misdemeanor punishable by imprisonment for not more than 12 months or a fine of not less than \$100 or more than \$1,000, or both, for the first offense and imprisonment for not more than 12 months or a fine of not less than \$1,000 or more than \$10,000, or both, for a second or subsequent offense.

(b) Nothing in this act or the brokerage relationships in real estate transactions act shall be construed as requiring the commission or the director to report minor violations of the acts for criminal prosecution whenever the commission or the director believes that the public interest will be adequately served by other administrative action.

(c) If the commission determines that a person or associated association, corporation, limited liability company, limited liability partnership, partnership, professional corporation or trust has practiced without a valid broker's or salesperson's license issued by the commission, in addition to any other penalties imposed by law, the commission, in accordance with the Kansas administrative procedure act, may issue a cease and desist order against the unlicensed person.

Sec. 6. K.S.A. 58-3065 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to brokers, salespersons and real estate transactions; authorizing the Kansas real estate commission to issue cease and desist orders;"; in line 2, after the semicolon by inserting "providing for certain penalties related thereto;"; in line 3, after "act" by inserting "; amending K.S.A. 58-3065 and repealing the existing section"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Thursday, March 28, 2024.

Journal of the Senate

FIFTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 28, 2024, 9:00 a.m.

The Senate was called to order pro forma by President Ty Masterson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to Committees as indicated:

Agriculture and Natural Resources: **HCR 5026**.

Assessment and Taxation: **Sub HB 2609; HB 2757**.

Federal and State Affairs: **HB 2653**.

Judiciary: **HB 2510**.

MESSAGES FROM THE HOUSE

The House concurs in Senate amendments to **HB 2477**.

The House concurs in Senate amendments to **HB 2665**.

The House concurs in Senate amendments to **HB 2545**.

The House concurs in Senate amendments to **HB 2790**.

The House concurs in Senate amendments to **HB 2629**.

The House nonconcurrs in Senate amendments to **HB 2577**, requests a conference and has appointed Representatives Hoheisel, Clifford and Xu as conferees on the part of the House.

Announcing passage of **SB 96**, as amended by **H Sub Sub SB 96**.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of March 25 through March 28, 2024:

Senator Kloos: congratulating the Lyndon H.S. Boys Basketball Team and Football Team on their success in 2023 and 2024;

Senator Reddi: congratulating the Manhattan H.S. Boys Wrestling Team on winning the 2024 State Championship; and

Senator Sykes and Senator Holscher: commending Zero Reasons Why for their work in our schools and communities.

On motion of Senator Dietrich, the Senate adjourned until 10:00 a.m., Monday, April 1, 2024.

Journal of the Senate

FIFTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, April 1, 2024, 10:00 a.m.

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

The roll was called with 40 senators present.

Invocation by Reverend Cecil T. Washington:

Trusting God's Promises
Genesis 1 and 2

Heavenly Father, when someone makes a promise to us, it's supposed to be the assertion of something. After making a promise, there should be no "April Fool."

Lord, in the beginning, in the first two chapters of Genesis, You made nine declarations. You simply said "Let there be." And by the power and might of Your Word, our world came into existence. Lord, when You declare something, it happens!

So Lord, help us to lean on the trustworthiness of Your Word. As we face significant responsibilities, we need the assurance that You have our backs. Help us to rely on Your promises so that we Trust in Your timing. You may not come when we want You to, yet You're always right on time. Therefore, give us the patience to wait for Your answers.

There are times, when it seems You're not there. Yet we have the promise of Your ongoing presence in all that we encounter. Help us to relax in the promise of Your presence. And in knowing You're there, in all that we face, we can rejoice in Your goodness. Because You are good all the time and all time You are good! Thank You Lord for Your unfailing reliability. I come to You, having faith in the beloved Name of Jesus, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 558, AN ACT concerning health and healthcare; relating to cannabis and cannabidiol; creating the Kansas medical cannabis act; providing for the licensure and regulation of the cultivation, processing, manufacturing, distribution, sale and use of medical cannabis and medical cannabis products; imposing a tax on the gross receipts of the retail sale thereof; providing for distribution of the tax revenues derived therefrom; establishing the medical cannabis registration fund, the medical cannabis regulation fund, the medical cannabis revenues fund and the medical cannabis refund fund; creating the Kansas cannabidiol regulation act; providing for the licensure, testing and regulation of the retail sale of cannabidiol products; making exceptions to the

crimes of unlawful manufacture and possession of controlled substances; amending K.S.A. 2-3901, 8-1567, 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 21-6109, 21-6607, 22-3717, 23-3201, 38-2269, 44-501, 44-706, 44-1009, 44-1015, 79-5201 and 79-5210 and K.S.A. 2023 Supp. 65-1120 and 65-28b08 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 559, AN ACT concerning the legislature; relating to legislation on child labor; providing for a review process and evaluation criteria for the legislature when considering bills proposing that child labor protections be reduced or eliminated; requiring the secretary of labor to provide a report to the legislature to assist the legislature's consideration of such proposals and authorizing the secretary to provide such report independently; amending K.S.A. 2023 Supp. 77-436 and repealing the existing section, by Committee on Federal and State Affairs.

INTRODUCTION OF SENATE RESOLUTIONS

Joint Committee on State-Tribal Relations introduced the following Senate resolution:

SENATE RESOLUTION No. 1750—

A RESOLUTION approving an amendment to the gaming compact between the Iowa Tribe of Kansas and Nebraska and the State of Kansas.

Be it resolved by the Senate of the State of Kansas: That the amendment to the gaming compact between the Iowa Tribe of Kansas and Nebraska and the State of Kansas submitted by the Governor to the Joint Committee on State-Tribal Relations on April 1, 2024, is hereby approved; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the Governor, the Secretary of State and the chairperson of the Iowa Tribe of Kansas and Nebraska.

MESSAGES FROM THE GOVERNOR

SB 399, SB 424, SB 481 approved on March 29, 2024

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2833, HB 2834**.

The House accedes to the request of the Senate for a conference on **SB 142** and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 143** and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 291** and has appointed Representatives Wasinger, B. Carpenter and Stogsdill as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 292** and has appointed Representatives Ellis, B. Carpenter and Weigel as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 359** and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 384** and has appointed Representatives Bergquist, Blex and Featherston as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 438** and has appointed Representatives Thomas, Estes and Stogsdill as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 458** and has appointed Representatives Humphries, Lewis and Osman as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 462** and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 467** and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 473** and has appointed Representatives Humphries, Lewis and Osman as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2607**, requests a conference and has appointed Representatives Rahjes, Moser and Carlin as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub HB 2047**, requests a conference and has appointed Representatives Rahjes, Moser and Carlin as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2551**, requests a conference and has appointed Representatives Waymaster, Hoffman and Helgerson as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub HB 2124**, requests a conference and has appointed Representatives W. Carpenter, Kessler and Hoye as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2358**, requests a conference and has appointed Representatives B. Carpenter, Kessler and Hoye as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2715**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2787**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2583**, requests a conference and has appointed Representatives Owens, Smith, E. and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2547**, requests a conference and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2784**, requests a conference and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub HB 2144**, requests a conference and has appointed Representatives Humphries, Lewis and Osman as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2711**, requests a conference and has appointed Representatives Hoheisel, Clifford and Xu as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **Sub HB 2570**, requests a conference and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2527**, requests a conference and has appointed Representatives Delperdang, Turner and Ohaebosim as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2588**, requests a conference and has appointed Representatives Delperdang, Turner and Ohaebosim as conferees on the part of the House.

Representatives Thomas, Estes, and Stogsdill are appointed to replace Representatives Owens, Smith, E., and Highberger as conferees on **H Sub SB 73**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2833, HB 2834 were thereupon introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

On motion of Senator Peck, the Senate acceded to the request of the House for a conference on **S Sub HB 2047**.

The Vice President appointed Senators Peck, McGinn and Ware as conferees on the part of the Senate.

On motion of Senator Thompson, the Senate acceded to the request of the House for a conference on **S Sub HB 2124**.

The Vice President appointed Senators Thompson, Kloos and Faust-Goudeau as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **S Sub HB 2144**.

The Vice President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Thompson, the Senate acceded to the request of the House for a conference on **HB 2358**.

The Vice President appointed Senators Thompson, Kloos and Faust-Goudeau as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2392**.

The Vice President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2501**.

The Vice President appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

On motion of Senator Fagg, the Senate acceded to the request of the House for a conference on **HB 2527**.

The Vice President appointed Senators Fagg, Petersen and Francisco as conferees on the part of the Senate.

On motion of Senator Gossage, the Senate acceded to the request of the House for a conference on **HB 2547**.

The Vice President appointed Senators Gossage, Erickson and Pettey as conferees on the part of the Senate.

On motion of Senator Billinger, the Senate acceded to the request of the House for a conference on **HB 2551**.

The Vice President appointed Senators Billinger, Claeys and Pettey as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2560**.

The Vice President appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

On motion of Senator Erickson, the Senate acceded to the request of the House for a conference on **Sub HB 2570**.

The Vice President appointed Senators Erickson, Dietrich and Reddi as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2577**.

The Vice President appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2583**.

The Vice President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Fagg, the Senate acceded to the request of the House for a conference on **HB 2588**.

The Vice President appointed Senators Fagg, Petersen and Francisco as conferees on the part of the Senate.

On motion of Senator Peck, the Senate acceded to the request of the House for a conference on **HB 2607**.

The Vice President appointed Senators Peck, McGinn and Ware as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2663**.

The Vice President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2711**.

The Vice President appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2715**.

The Vice President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Billinger, the Senate acceded to the request of the House for a conference on **HB 2760**.

The Vice President appointed Senators Billinger, Claeys and Pettey as conferees on the part of the Senate.

On motion of Senator Gossage, the Senate acceded to the request of the House for a conference on **HB 2784**.

The Vice President appointed Senators Gossage, Erickson and Pettey as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2787**.

The Vice President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **H Sub SB 37** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Pittman as a conference committee on the part of the Senate.

On motion of Senator Erickson the Senate nonconcurrred in the House amendments to **H Sub H Sub SB 96** and requested a conference committee be appointed.

The Vice President appointed Senators Erickson, Dietrich and Reddi as a conference committee on the part of the Senate.

On motion of Senator Thompson the Senate nonconcurrred in the House amendments to **H Sub SB 172** and requested a conference committee be appointed.

The Vice President appointed Senators Thompson, Kloos and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **H Sub Sub SB 232** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Thompson the Senate nonconcurrred in the House amendments to **H Sub SB 271** and requested a conference committee be appointed.

The Vice President appointed Senators Thompson, Kloos and Faust-Goudeau as a conference committee on the part of the Senate.

On motion of Senator Gossage the Senate nonconcurrred in the House amendments to **H Sub SB 287** and requested a conference committee be appointed.

The Vice President appointed Senators Gossage, Erickson and Pettey as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **H Sub SB 318** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **H Sub SB 349** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Baumgardner the Senate nonconcurrred in the House amendments to **H Sub SB 387** and requested a conference committee be appointed.

The Vice President appointed Senators Baumgardner, Erickson and Sykes as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 406** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Pittman as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **SB 414** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **H Sub SB 419** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **H Sub SB 420** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 423** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Fagg the Senate nonconcurrred in the House amendments to **SB 455** and requested a conference committee be appointed.

The Vice President appointed Senators Fagg, Petersen and Francisco as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **SB 500** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

CHANGE OF CONFERENCE

Senators Baumgardner, Erickson, and Sykes are appointed to replace Senators Warren, Wilborn, and Corson as members of the conference committee on **H Sub SB 73**.

REPORTS OF STANDING COMMITTEES

Joint Committee on State-Tribal Relations introduces **Senate Resolution No. 1750**, "A RESOLUTION approving the amendment to the gaming compact between the Iowa Tribe of Kansas and Nebraska and the State of Kansas" and recommends adoption of the resolution.

APRIL 1, 2024

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REPORT ON ENROLLED BILLS AND RESOLUTIONS

SB 491 reported correctly enrolled, properly signed and presented to the Governor on March 28, 2024.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Tuesday, April 2, 2024.

Journal of the Senate

FIFTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, April 2, 2024, 10:00 a.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 39 senators present.

Senator Ryckman was excused.

Invocation by Reverend Cecil T. Washington:

Deliver Us From Cycles Of Foolishness
Judges 6:7-10

Heavenly Father, Lord God of Heaven and earth, in the Book of Judges we see repeated cycles where Your people fall into hardship due to their disobedience. Due to the pain of their distress, they came to regret their willful defiance and asked Your forgiveness. Then, by Your love and mercy, You graciously pardoned their defiant ways. You restored them. You granted them your blessings and increased their opportunities to serve.

But in Judges 6:7-10, You had Your prophet Gideon make it clear to them, and You're making it clear to us as well, that YOU are God! YOU sustain us and we are to have no other god before us. Your prophet went on to conclude by saying Your people would not listen. Therefore that insane cycle of plentiful blessings, wanton disobedience, regretful repentance and forgiveness would just repeat itself. Lord, please deliver us from repetitive phases of foolishness, from repeated cycles of willful disregard for Your Word, while at the same time wanting things to get better. As You did back then, forgive our disobedience, grant us your blessings and increase our opportunities to serve. Winners in sports become Champions, when they listen to their coach and they practice the right moves. Lord, help us to truly be winners in the Game of Life! Help us to learn from and to follow Your playbook.

I want to thank You for the provision of a fail proof strategy. Now, help us stick to it! In Jesus' Name, Amen!

The Pledge of Allegiance was led by President Masterson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **SB 559**.

Federal and State Affairs: **SB 558**.

Financial Institutions and Insurance: **HB 2834**.

Ways and Means: **HB 2833**.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate.

Regarding the disposal of school buildings: USD 253 (Lyon County) and USD 407 (Russell County).

MESSAGES FROM THE HOUSE

Announcing passage of **HB 2828**.

The House concurs in Senate amendments to **S Sub HB 2436**.

The House concurs in Senate amendments to **HB 2483**.

The House concurs in Senate amendments to **HB 2675**.

The House concurs in Senate amendments to **HB 2690**.

The House accedes to the request of the Senate for a conference on **H Sub H Sub SB 96** and has appointed Representatives Tarwater, Blew and Probst as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 172** and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 232** and has appointed Representatives Humphries, Lewis and Osman as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 271** and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 349** and has appointed Representatives Humphries, Lewis and Osman as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 387** and has appointed Representatives Williams, K., Goetz and Winn as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 455** and has appointed Representatives Delperdang, Turner and Ohaebosim as conferees on the part of the House.

The House nonconcurs in Senate amendments to **HB 2614**, requests a conference and has appointed Representatives Proctor, Waggoner and Woodard as conferees on the part of the House.

The House nonconcurs in Senate amendments to **HB 2618**, requests a conference and has appointed Representatives Proctor, Waggoner and Woodard as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 37** and has appointed Representatives Hoheisel, Clifford and Xu as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 287** and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 318** and has appointed Representatives Owens, Smith, E. and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 406** and has appointed Representatives Hoheisel, Clifford and Xu as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 414** and has appointed Representatives Owens, Smith, E. and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 419** and has appointed Representatives Owens, Smith, E. and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 420** and has appointed Representatives Owens, Smith, E. and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 423** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 500** and has appointed Representatives Humphries, Lewis and Osman as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 333** and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 410** and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House concurs in Senate amendments to **HB 2358**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2583**, and requests return of the bill.

The House announced the appointment of Representatives Waymaster, Hoffman and Helgerson to replace Representatives Sutton, Penn and Neighbor as conferees on **SB 18**.

The House announced the appointment of Representatives Landwehr, Eplee and Ruiz, S. to replace Representatives Sutton, Penn and Neighbor as conferees on **HB 2531**.

The House announced the appointment of Representatives Carpenter, W., Kessler and Hoye to replace Representatives Sutton, Penn and Neighbor as conferees on **HB 2532**.

The House announced the appointment of Representatives Howe, Sanders and Woodard to replace Representatives Hoheisel, Clifford and Xu as conferees on **HB 2105**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2828 was thereupon introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

Senator Alley motioned to advance **SR 1750** to Emergency Final Action, subject to amendment, debate and roll call. Motion carried by voice vote.

On motion of Senator Thompson, the Senate acceded to the request of the House for a conference on **HB 2614**.

The President appointed Senators Thompson, Kloos and Faust-Goudeau as conferees on the part of the Senate.

On motion of Senator Thompson, the Senate acceded to the request of the House for a conference on **HB 2618**.

The President appointed Senators Thompson, Kloos and Faust-Goudeau as conferees on the part of the Senate.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Petersen moved the Senate concur in House amendments to **SB 462**.

SB 462, AN ACT concerning motor carriers; relating to the Kansas uniform commercial drivers' license act; authorizing the director of vehicles to waive the knowledge and skills test for driving a commercial vehicle for an applicant that provides evidence that such applicant qualifies for the military even exchange program for a commercial driver's license; authorizing the director of vehicles to adopt rules and regulations for participation in the federal motor carrier safety administration's drug and alcohol clearinghouse program; disqualifying a person's commercial driving privileges when such person has violated or is in noncompliance with the requirements of the clearinghouse; amending K.S.A. 8-2,133 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

Absent or Not Voting: Ryckman.

The Senate concurred.

On motion of Senator Petersen the Senate nonconcurrred in the House amendments to **SB 410** and requested a conference committee be appointed.

The President appointed Senators Petersen, Kloos and Corson as a conference committee on the part of the Senate.

On motion of Senator Erickson the Senate nonconcurrred in the House amendments to **SB 333** and requested a conference committee be appointed.

The President appointed Senators Erickson, Dietrich and Reddi as a conference committee on the part of the Senate.

FINAL ACTION ON CONSENT CALENDAR

SCR 1620 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, was considered on final action.

SCR 1620, A CONCURRENT RESOLUTION approving the creation of a port authority in Wyandotte County and Kansas City, Kansas.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Sykes, Ware, Warren, Wilborn.

Nays: Baumgardner, Blasi, Steffen, Straub, Thompson, Tyson.

Present and Passing: Gossage.

Absent or Not Voting: Ryckman.

The resolution was adopted.

EMERGENCY FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SR 1750, A RESOLUTION approving an amendment to the gaming compact between the Iowa Tribe of Kansas and Nebraska and the State of Kansas.

On roll call, the vote was: Yeas 29; Nays 6; Present and Passing 4; Absent or Not Voting 1.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, Olson, Petersen, Pettey, Pittman, Reddi, Shallenburger, Sykes, Thompson, Ware, Wilborn.

Nays: McGinn, O'Shea, Peck, Pyle, Steffen, Straub.

Present and Passing: Baumgardner, Erickson, Tyson, Warren.

Absent or Not Voting: Ryckman.

The resolution was adopted.

CHANGE OF CONFERENCE

Senators Billinger, Claeys, and Pettey are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **SB 18**.

Senator Shallenburger is appointed to replace Senator Kloos as a member of the conference committee on **H Sub SB 143**.

Senators Billinger, Claeys, and Pettey are appointed to replace Senators Longbine, Fagg, and Pittman as members of the conference committee on **HB 2105**.

Senators Gossage, Erickson, and Pettey are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **HB 2531**.

Senators Thompson, Kloos, and Faust-Goudeau are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **HB 2532**.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

H Sub SB 233; SB 331, SB 345, SB 360, SB 362, SB 379, SB 381, SB 394, SB 405, SB 433, SB 434 reported correctly enrolled, properly signed and presented to the Governor on April 2, 2024.

APRIL 2, 2024

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On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Wednesday, April 3, 2024.

Journal of the Senate

FIFTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, April 3, 2024, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Now Is The Day, The Hour, The Time of Salvation
2 Corinthians 6:2

Heavenly Father, in 2 Corinthians 6:2, Your Word declares "Now is the day of Salvation. Now is the time for God's favor," and Your Word became the inspiration for me to write this song...

Do you know a better time to repent and confess
Do you know a better time than now
Do you know a better time to turn to God and be blessed
Do you know a better time than now
Do you know a better time to get loosed from things that bind
Do you know a better time than now
Do you know a better time to get set free from pain and guilt
Do you know a better time than right now
Now is the time to believe Him
Now is the time to receive Him
Today is the day of Salvation
There'll never be a better time than now
Now is the time to accept Him
Now is the time do not reject Him
This is the day, the hour, the minute
There will never be a better time than now, Amen!

The Pledge of Allegiance was led by President Masterson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Assessment and Taxation: **HB 2828**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Dietrich, Kloos and O'Shea introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1751—

A RESOLUTION recognizing Success Learning Inclusion for its dedication to supporting individuals with intellectual and developmental disabilities and commending the Success Learning Inclusion President and CEO, Lisa Jackson, for her commitment to those with developmental disabilities in the Topeka and Shawnee county area.

WHEREAS, We recognize the month of March as Developmental Disabilities Awareness month in order to celebrate people with intellectual and developmental disabilities and recognize the importance of cultivating inclusive environments with equal access to communication, education, meaningful employment, housing, transportation and public accommodations for all Kansans; and

WHEREAS, Since 1971, Success Learning Inclusion (SLI) has advocated for the rights and futures of individuals with intellectual disabilities; and

WHEREAS, SLI has positively impacted the city of Topeka and the Shawnee county area by promoting equal opportunity, access and choice for Kansans with developmental disabilities; and

WHEREAS, Since 2004, Lisa Jackson has served as the President and CEO of SLI. With over 35 years of experience in the field of developmental disabilities, Lisa has dedicated 21 of those years to SLI; and

WHEREAS, Kansas recognizes the unlimited potential for all its citizens, including those with developmental disabilities, to live, work and thrive in communities throughout the state; and

WHEREAS, SLI believes that every individual deserves a high quality of life and a path that provides them with opportunities today and hope for tomorrow: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the positive impact that Success Learning Inclusion has on individuals with disabilities and believe there is no greater time to celebrate its contributions to the community than during Developmental Disabilities Awareness month; and

Be it further resolved: That the Secretary of the Senate shall send two enrolled copies of this resolution to Senator Dietrich.

On emergency motion of Senator Dietrich **SR 1751** was adopted by voice vote.

Senator Sykes introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1752—

A RESOLUTION congratulating SevenDays on its 10th anniversary of teaching kindness and making a ripple to change the world.

WHEREAS, We overcome hate by promoting kindness and understanding through education and dialogue; and

WHEREAS, SevenDays is an organization that provides opportunities to encourage all people to participate in activities that promote the practice of kindness; and

WHEREAS, SevenDays celebrates its 10th anniversary beginning on April 10, 2024, with the Kindness Breakfast, a celebration of youth and an announcement of the 4th annual "Ripple of Kindness Award" recipient, as well as its new Community Kindness Festival on Sunday, April 14, 2024; and

WHEREAS, SevenDays continues its daily themes of "Love, Discover, Others,

Connect, You, Go and Onward," as it brings people from all walks of life together to overcome hate with acts of kindness; and

WHEREAS, The memories of three wonderful and unique people, Reat Underwood, Dr. William Corporon and Terri LaManno, whose lives were tragically taken during a shooting at the Jewish Community Center of Greater Kansas City and Village Shalom in Overland Park, Kansas, on April 13, 2014, will be honored through kindness and understanding; and

WHEREAS, SevenDays expands its acts of compassion, acceptance and understanding to those who gather to celebrate; and

WHEREAS, We fully support and encourage all in Kansas, including residents, businesses, organizations and visitors, to come together during the SevenDays event, to act more kindly and be more understanding of differences, thereby making the world a better place, one ripple at a time: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate SevenDays on its 10th anniversary of teaching kindness and making a ripple to change the world; and

Be it further resolved: That we encourage all Kansans to engage in acts of kindness throughout the week and remember the events of April 13, 2014, not only for the losses of that day, but also for the significance of the powerful and enduring vow to overcome hate with kindness; and

Be it further resolved: That the Secretary of the Senate shall send three enrolled copies of this resolution to SevenDays and one copy to Senator Sykes.

On emergency motion of Senator Sykes **SR 1752** was adopted by voice vote.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 142**.

The House adopts the Conference Committee report to agree to disagree on **H Sub SB 387**, and has appointed Representatives Williams, K., Goetz and Winn as Second conferees on the part of the House.

The House adopts the Conference Committee report on **S Sub HB 2124**.

The House adopts the Conference Committee report on **HB 2498**.

The House adopts the Conference Committee report on **SB 455**.

The House announced the appointment of Representatives Smith, A., Bergkamp and Sawyer as conferees on **SB 410**.

The House announced the appointment of Representatives Smith, A., Bergkamp and Sawyer as conferees on **HB 2096**.

The House announced the appointment of Representatives Smith, A., Bergkamp and Sawyer as conferees on **HB 2098**.

The House adopts the Conference Committee report to agree to disagree on **HB 2618**, and has appointed Representatives Proctor, Waggoner and Woodard as Second conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 142** and has appointed Representatives Francis, Neelly and Ballard as Second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 142** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 2, following line 34, by inserting:

"Sec. 3. K.S.A. 8-1530 is hereby amended to read as follows: 8-1530. (a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of K.S.A. 8-1738(d), and amendments thereto, and visual signals meeting the requirements of K.S.A. 8-1720, and amendments thereto, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall do the following unless otherwise directed by a police officer:

- (1) Yield the right-of-way;
- (2) immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway clear of any intersection; and
- (3) stop and remain in such position until the authorized emergency vehicle has passed.

(b) The driver of a motor vehicle upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is making use of visual signals meeting the requirements of K.S.A. 8-1720 or 8-1722(d), and amendments thereto, shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary authorized emergency vehicle; or

(2) if the driver is not traveling on a highway of a type described in paragraph (1), or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle and maintain a safe speed for the road, weather and traffic conditions.

(c) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(d) (1) Violation of subsection (b) that results in injury or great bodily harm to any person serving as a law enforcement officer, an emergency medical service provider or a firefighter and such vehicle is an authorized emergency vehicle that is a fire department vehicle, police bicycle, police vehicle or an ambulance is a severity level 6, person felony.

(2) Violation of subsection (b) that results in death to any person serving as a law enforcement officer, an emergency medical service provider or a firefighter and such vehicle is an authorized emergency vehicle that is a fire department vehicle, police bicycle, police vehicle or an ambulance is a severity level 5, person felony.

(3) In addition to the penalty described in paragraph (1), the court shall impose a fine of not less than \$1,000.

(4) In addition to the penalty described in paragraph (2), the court shall impose a fine of not less than \$7,500.";

On page 12, in line 21, after "K.S.A." by inserting "8-1530 and"; also in line 21, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "creating a crime for injuring or causing the death of certain authorized emergency vehicle operators when unlawfully passing a stationary authorized emergency vehicle"; in line 5, after "K.S.A." by inserting "8-1530 and"; in line 6, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

Conferees on part of House

MIKE PETERSON

RICK KLOOS

ETHAN CORSON

Conferees on part of Senate

On motion of Senator Kloos the Senate not adopted the conference committee report on **SB 142** and requested a new conference be appointed.

The President appointed Senators Petersen, Kloos and Corson as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 387** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

KRISTEY WILLIAMS

JASON GOETZ

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

Conferees on part of Senate

On motion of Senator Baumgardner the Senate adopted the conference committee report on **H Sub SB 387**, and requested a new conference be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a second Conference Committee on the part of the Senate on **H Sub SB 387**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2124** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on

conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2124, as follows:

On page 1, following line 11, by inserting:

"New Section 1. (a) The secretary of revenue shall conduct a study on licensed microbrewery compliance with state laws and rules and regulations governing the collection and remittance of alcoholic liquor enforcement taxes. On or before January 15, 2025, the secretary shall prepare and submit a report to the governor and the legislature on the findings of such study, including any recommendations regarding such collection and remittance, the monitoring thereof and ensuring compliance with applicable laws and rules and regulations.

(b) The director of alcoholic beverage control shall conduct a study on licensed microbrewery compliance with state laws and rules and regulations governing the collection and remittance of alcoholic liquor gallonage taxes. On or before January 15, 2025, the director shall prepare and submit a report to the governor and the legislature on the findings of such study, including any recommendations regarding such collection and remittance, the monitoring thereof and ensuring compliance with applicable laws and rules and regulations.

(c) This section shall expire on July 1, 2025.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after the second semicolon by inserting "directing the secretary of revenue to study the collection and remittance of alcoholic liquor enforcement tax by microbreweries; directing the director of alcoholic beverage control to study the collection and remittance of alcoholic liquor gallonage tax by microbreweries;"

And your committee on conference recommends the adoption of this report.

MICHAEL THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

WILL CARPENTER

TOM KESSLER

JOELLA HOYE

Conferees on part of House

Senator Thompson moved the Senate adopt the Conference Committee Report on **S Sub HB 2124**.

On roll call, the vote was: Yeas 37; Nays 2; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Peck, Tyson.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2465** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

ADAM SMITH

BRIAN BERGKAMP

Conferees on part of House

On motion of Senator Tyson the Senate adopted the conference committee report on **HB 2465**, and requested a new conference be appointed.

The President appointed Senators Tyson, Peck and Holland as a second Conference Committee on the part of the Senate on **HB 2465**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2481** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 29, by inserting:

"New Sec. 4. The portion of United States highway 69 from the junction of United States highway 69 and grand road in Bourbon county, then south on United States highway 69 to the junction of United States highway 69 and east 650th avenue in Crawford county is hereby designated as the Ken W Brock memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the Ken W Brock memorial highway.

New Sec. 5. The portion of United States highway 81 where it enters the state on the Kansas-Nebraska line, then south on United States highway 81 to the southern border of Republic county is hereby designated as the Merle Miller memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the highway is the Merle Miller memorial highway.

New Sec. 6. The portion of United States highway 281 from the southern city limits of Russell, then north to its junction with K-18 highway in Russell county is hereby designated as the first responders memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs along the highway right-of-way at proper intervals to indicate that the highway is the first responders memorial highway.

New Sec. 7. The Atchison, Topeka and Santa Fe #3415 Pacific class 4-6-2, built in 1919, is hereby designated as the official steam locomotive of the state of Kansas.

New Sec. 8. The Abilene & Smoky Valley Railroad is hereby designated as the official heritage railroad of the state of Kansas.

Sec. 9. K.S.A. 68-1011 is hereby amended to read as follows: 68-1011. The portion of United States highway ~~no.~~ 281 traversing this state where it crosses the Nebraska-Kansas boundary line on the north to the junction of United States highway 281 and K-18 highway, then from the southern city limits of Russell to the point where it leaves the state on the south at the Kansas-Oklahoma boundary line, be and it is hereby designated as "the American Legion memorial highway" in the state of Kansas.

Sec. 10. K.S.A. 68-1036 is hereby amended to read as follows: 68-1036. The portion of United States highway 81 ~~where it enters the state on the Kansas-Nebraska line on the north thence south from the northern border of Cloud county, then south on~~ United States highway 81 to the junction of interstate highway I-70 is hereby designated the Frank Carlson memorial highway. The secretary of transportation shall place suitable signs along the highway right-of-way at proper intervals to indicate the highway is the Frank Carlson memorial highway. The secretary of transportation may accept and administer gifts and donations to aid in obtaining suitable highway signs.";

On page 2, in line 6, after "K.S.A." by inserting "68-1011, 68-1036 and"; also in line 6, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "roads and highways" and inserting "transportation; relating to commemorative designations"; in line 5, after the semicolon by inserting "designating a portion of United States highway 69 as the Ken W Brock memorial highway; designating a portion of United States highway 81 as the Merle Miller memorial highway; designating a portion of United States highway 281 as the first responders memorial highway; redesignating a current portion of the American Legion memorial highway for United States highway 281; redesignating a current portion of the Frank Carlson memorial highway for United States highway 81; designating the Atchison, Topeka and Santa Fe #3415 as the official state steam locomotive and the Abilene & Smoky Valley Railroad as the official state heritage railroad;"; also in line 5, after "K.S.A." by inserting "68-1011, 68-1036 and"; in line 6, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

MIKE PETERSON

RICK KLOOS

ETHAN CORSON

Conferees on part of Senate

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2481**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll,

Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2498** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 7 through 35;

By striking all on page 2;

On page 3, by striking all in lines 1 through 10; following line 10, by inserting:

"Section 1. K.S.A. 2023 Supp. 75-5061 is hereby amended to read as follows: 75-5061. (a) The secretary of transportation is hereby authorized and empowered to: (1) Solicit and receive moneys from any public or private sources; and (2) establish and administer a grant program for public use general aviation airports for the purpose of planning, constructing, reconstructing or rehabilitating the facilities of such public use general aviation airports.

(b) Such grants shall be made upon such terms and conditions as the secretary deems appropriate, and such grants shall be made from funds credited to the public use general aviation airport development fund.

(c) The public use general aviation airport development fund is hereby established in the state treasury which shall be for the purpose of planning, constructing, reconstructing or rehabilitating the facilities of public use general aviation airports pursuant to subsection (a) of this section. All moneys received pursuant to subsection (a) shall be remitted to the state treasurer at least monthly and deposited in the state treasury to the credit of the public use general aviation airport development fund. The secretary shall administer the public use general aviation airport development fund. All expenditures from the public use general aviation airport development fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or by a person or persons designated by the secretary.

~~(d) (1) On July 1, 1999, and each July 1 thereafter through July 1, 2012, the director of accounts and reports shall transfer \$3,000,000 from the state highway fund to the public use general aviation airport development fund.~~

~~(2) On July 1, 2013 2024, and each July 1 thereafter, the director of accounts and reports shall transfer \$5,000,000 \$15,000,000 from the state highway fund to the public use general aviation airport development fund. The secretary is hereby authorized to transfer additional moneys to the public use general aviation airport development fund from the state highway fund, and moneys from the public use general aviation airport development fund to the state highway fund. In no event shall the amount remaining in the public use general aviation airport development fund and the amount spent or dedicated for grants in each fiscal year be less than \$5,000,000 \$15,000,000.~~

(e) As used in this section, "public use general aviation airport" means any airport available for use by the general public for the landing and taking off of aircraft, but shall not include any airport classified as a primary airport by the federal aviation administration.

(f) The secretary may adopt rules and regulations for the purpose of implementing the provisions of this section.

Sec. 2. K.S.A. 2023 Supp. 75-5061 is hereby repealed.";

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "public use general aviation airports; increasing the transfer from the state highway fund to the public use general aviation airport development fund; amending K.S.A. 2023 Supp. 75-5061 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

MIKE PETERSON

RICK KLOOS

ETHAN CORSON

Conferees on part of Senate

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2498**.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Olson, Pyle, Steffen, Straub, Tyson.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2527** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 11, in line 39, after "(4)" by inserting "For requests by a public utility for a determination of ratemaking principles and treatment relating to the abandonment or retirement of a nuclear powered or fossil fuel-fired electric generating unit, the commission shall not approve the abandonment or retirement of such electric generating unit, authorize a surcharge or issuance of bonds for the decommissioning of such electric generating unit or take any other action that authorizes or allows for the

recovery of costs for the retirement of such electric generating unit, including stranded asset recovery, unless:

(A) The utility demonstrates that the public utility will be able to meet current and reasonably-anticipated future resource adequacy requirements of the regional transmission organization or independent system operator; and

(B) the abandonment or retirement is not expected to harm the utility's customers or decrease the utility's regional rate competitiveness by causing the utility to experience higher costs than would be expected by continuing to operate such electric generating unit in compliance with applicable law, unless, consistent with the integrated resource planning framework utilized by the commission, the commission determines that such higher costs are justified by other factors that are specified by the commission. The utility shall provide the commission with evidence of all known direct and indirect costs of abandonment or retirement of the electric generating unit and demonstrate that cost savings or avoided or mitigated cost increases to customers will occur as a result of the abandonment or retirement of the electric generating unit.

(5)";

On page 12, in line 3, by striking "(5)" and inserting "(6)";

On page 13, in line 26, by striking "(6)" and inserting "(7)"; in line 31, by striking "(7)" and inserting "(8)";

On page 15, following line 2, by inserting:

"(h) For nuclear powered and coal-fired electric generating facilities, if determined by the commission to be just, reasonable and necessary for the provision of sufficient and efficient service, an electric public utility shall be permitted to:

- (1) Retain such facilities in such utility's rate base;
- (2) recover expenses associated with the operation of such facilities that remain in service to provide greater certainty that generating capacity will be available to provide essential service to customers, including during extreme weather events; and
- (3) recover any portion of such utility's rate base and prudently incurred expenses necessary for such facilities:

(A) To operate at a low-capacity factor; or

(B) that are offline during normal operating conditions and providing capacity only.

(i) The commission shall prepare and submit to the legislature by December 1 of each year an annual report based on the preceding calendar year that provides:

(1) The number of requests by utilities to retire electric generating units in the state, the nameplate capacity of each of those units and whether the request was approved or denied by the commission;

(2) the impact of any commission-approved retirement of an electric generating unit on the:

(A) Utility's and state's generation capacity by fuel type;

(B) required capacity reserve margins for the utility and the overall capacity reserve margin within the state;

(C) utility's need for capacity additions or expansions at new or existing facilities as a result of the retirement; and

(D) utility's need for additional power or capacity reserve arrangements; and

(3) whether the retirement resulted in stranded costs for ratepayers that will be recovered by the utility through securitization or some other charge on customer bills.

(j) The provisions of subsection (c)(4) shall expire on July 1, 2034.

Sec. 5. K.S.A. 66-1264 is hereby amended to read as follows: 66-1264. As used in the net metering and easy connection act:

(a) "Commission" means the state corporation commission.
 (b) "Customer-generator" means the owner or operator of a net metered facility ~~which that:~~

(1) Is powered by a renewable energy resource;
 (2) is located on a premises owned, operated, leased or otherwise controlled by the customer-generator;

(3) is interconnected and operates in parallel phase and synchronization with an affected utility and is in compliance with the standards established by the affected utility;

(4) is intended primarily to offset part or all of the customer-generator's own electrical energy requirements ~~such that the customer-generator will fully consume the energy output or will deliver the remaining energy output and all other services to the utility; and~~

(5) ~~contains a~~ an underwriter laboratories listed mechanism, approved by the utility, that automatically disables the unit and interrupts the flow of electricity back onto the ~~supplier's utility's~~ electricity lines in the event that service to the customer-generator is interrupted.

(c) "Export" means power that flows from a customer-generator's electrical system through a customer's billing meter and onto the utility's electricity lines.

(d) "Generating capacity" means the maximum amount of alternating current power that a customer generator's net metered system can produce.

(e) ~~"Peak demand" shall have the meaning ascribed thereto~~ means the same as defined in K.S.A. 66-1257, and amendments thereto.

(f) "Permission to operate" means the operational date of the customer-generator's net metered facility.

~~(d)(g) "Renewable energy resources" shall have the meaning ascribed thereto means the same as defined~~ in K.S.A. 66-1257, and amendments thereto.

(h) "Supplied" means power that flows from the utility's electricity lines through a customer's billing meter and into a customer-generator's electrical system.

~~(e)(i)~~ (i) "Utility" means investor-owned electric utility.

(j) "Witness test" means a representative of the utility is on-site to measure or verify a specific setting or operational condition.

Sec. 6. K.S.A. 66-1265 is hereby amended to read as follows: 66-1265. Each utility shall:

(a) (1) Except as provided in paragraph (2), make net metering available to customer-generators who are in good standing with the utility on a first-come, first-served basis, until the total rated generating capacity as approved by the utility of all net metered systems equals or exceeds one:

(A) Commencing July 1, 2024, percent 2% of the utility's peak demand during the previous year;

(B) commencing July 1, 2025, 3% of the utility's peak demand during the previous year;

(C) commencing July 1, 2026, 4% of the utility's peak demand during the previous year; and

(D) commencing July 1, 2027, and each year thereafter, 5% of the utility's historic

highest annual peak demand since 2014.

(2) The commission may increase the total rated generating capacity of all net metered systems to an amount above ~~one percent~~ 5% after conducting a hearing pursuant to K.S.A. 66-101d, and amendments thereto;

(b) provide an appropriate class bidirectional meter to the customer-generator at no charge, but may charge the customer-generator for the cost of any additional metering or distribution equipment necessary to accommodate the customer-generator's facility;

(c) disclose annually the availability of the net metering program to each of its customers with the method and manner of disclosure being at the discretion of the utility;

(d) for any customer-generator ~~which that~~ began operating its renewable energy resource under an interconnect agreement with the utility prior to July 1, 2014, offer to the customer-generator a tariff or contract that is identical in electrical energy rates, rate structure and monthly charges to the contract or tariff that the customer would be assigned if the customer were not an eligible customer-generator and shall not charge the customer-generator any additional standby, capacity, interconnection or other fee or charge that would not otherwise be charged if the customer were not an eligible customer-generator; and

(e) for any customer-generator ~~which that~~ began operating its renewable energy resource under an interconnect agreement with the utility on or after July 1, 2014, have the option to propose, within an appropriate rate proceeding, the application of time-of-use rates, minimum bills, incentive programs or other rate structures that would apply to all such customer-generators prospectively.

Sec. 7. K.S.A. 66-1266 is hereby amended to read as follows: 66-1266. (a) Prior to January 1, 2030, for any customer-generator that began operating a renewable energy resource under an interconnect agreement with the utility prior to July 1, 2014:

(1) If the electricity supplied by the utility exceeds the electricity ~~generated-exported~~ by the customer-generator during a billing period, the customer-generator shall be billed for the net electricity supplied by the utility in accordance with normal practices for customers in the same rate class.

(2) If such customer-generator ~~generates~~ exports electricity in excess of the ~~customer-generator's monthly consumption~~ electricity supplied by the utility, all such net excess ~~energy (NEG) generation~~, expressed in kilowatt-hours, shall be carried forward from month-to-month and credited at a ratio of one-to-one against the ~~customer-generator's energy consumption~~ electricity supplied by the utility, expressed in kilowatt-hours, in subsequent months.

(3) Any interconnect agreement between such customer-generator and a utility and all such ~~NEG generated net excess generation exported~~ under such agreement shall be ~~transferable~~ transferable and continue in place until January 1, 2030, regardless of whether there is a change in ownership of the property ~~on which where~~ the renewable energy resource is located.

(4) Any ~~NEG resulting net excess generation exported~~ from renewable energy resources that are installed on and after July 1, 2014, but are part of an installation of a renewable energy resource that was operating prior to July 1, 2014, shall be carried forward and credited to the customer as if such resources had begun operation prior to July 1, 2014.

(5) Any net excess generation credit remaining in a net-metering customer's

account on March 31 of each year shall expire.

(b) For any customer-generator that began operating a renewable energy resource under an interconnect agreement with the utility on and after July 1, 2014:

(1) If the electricity supplied by the utility exceeds the electricity ~~generated-exported~~ by the customer-generator during a billing period, the customer-generator shall be billed for the net electricity supplied by the utility.

(2) If such customer-generator ~~generates~~ exports electricity in excess of the ~~customer-generator's monthly consumption electricity supplied by the utility~~, all such NEG net excess generation remaining in such customer-generator's account at the end of each billing period shall be credited to the customer at a rate of at least 100% of the utility's monthly system average cost of energy per kilowatt hour.

(c) Except as otherwise provided in subsection (d), on and after January 1, 2030, for all customer-generators, regardless of when such customer-generators entered into an interconnect agreement with the utility:

(1) If the electricity supplied by the utility exceeds the electricity ~~generated-exported~~ by the customer-generator during a billing period, the customer-generator shall be billed for the net electricity supplied by the utility; and

(2) if such customer-generator ~~generates~~ exports electricity in excess of the ~~customer-generator's monthly consumption electricity supplied by the utility~~, all such NEG net excess generation remaining in a customer-generator's account at the end of each billing period shall be credited to the customer at a rate of at least 100% of the utility's monthly system average cost of energy per kilowatt hour.

(d) For any customer-generator that began operating a renewable energy resource under an interconnect agreement with the utility on and after July 1, 2024, and receives service on an optional time-varying rate:

(1) The utility shall measure the net electrical energy exported or supplied during the billing period for each of the time of use periods established by the applicable time-varying rate schedule that applies to the customer-generator's rate class in accordance with normal metering practices for customers that take service on time-varying rates in that same rate class;

(2) electricity supplied by the utility shall be netted against the electricity exported by the customer-generator during each applicable time of use period;

(3) if the electricity supplied by the utility exceeds the electricity exported by the customer-generator during any time of use period, the customer-generator shall be billed for the net electricity supplied by the utility in each such time of use period as well as all other charges as such charges are applied to non-customer-generators in the same rate class; and

(4) if the electricity exported by the customer-generator exceeds the electricity supplied by the utility during any time of use period, the customer-generator shall be credited at a rate of at least 100% of the utility's monthly system average cost of energy per kilowatt hour, with any net credit, and net of all other charges as such charges are applied to non-customer-generators in the same rate class, applied to the next billing period.

Sec. 8. K.S.A. 66-1267 is hereby amended to read as follows: 66-1267. (a) For customer-generators that began operating a renewable energy resource under an interconnect agreement with the utility prior to July 1, 2014:

(1) Such utility shall allow:

(A) Residential customer-generators to ~~generate export~~ electricity subject to net metering up to 25 kilowatts; and

(B) commercial, industrial, school, local government, state government, federal government, agricultural and institutional customer-generators to ~~generate export~~ electricity subject to net metering up to 200 kilowatts.

(2) Nothing in this act shall be construed to prevent such customer-generators from installing additional renewable energy resources after July 1, 2014, that will generate electricity pursuant to the restrictions contained in paragraph (1).

(b) For customer-generators that begin operating a renewable energy resource under an interconnect agreement with the utility after July 1, 2014, such utility shall allow:

~~(1) All residential customer-generators to generate electricity subject to net metering up to 15 kilowatts;~~

~~(2) commercial, industrial, religious institution, local government, state government, federal government, agricultural and industrial customer-generators to generate electricity subject to net metering up to 100 kilowatts, unless otherwise agreed to by the utility and the customer-generator; and~~

~~(3) school customer-generators to generate electricity subject to net metering up to 150 kilowatts. For the purpose of this section, "school" means any postsecondary educational institution as defined in K.S.A. 74-3201b, and amendments thereto, or any public or private school which provides instruction for students enrolled in grade-kindergarten or grades one through 12 customer-generators to export electricity subject to net metering up to 150 kilowatts alternating current.~~

(c) Customer-generators shall appropriately size their ~~generation export capacity~~ to their expected load as follows:

(1) (A) (i) Divide the customer-generator's historic consumption in kilowatt-hours for the previous 12-month period by 8,760; and

(ii) divide the quotient calculated pursuant to paragraph (1)(A)(i) by a capacity factor of 0.144; or

(B) if the customer-generator does not have historic consumption data that adequately reflects the customer's consumption at such premises, the customer-generator's historic consumption for the previous 12-month period shall be 7.15 kilowatt-hours per square foot of conditioned space; and

(2) round up the quotient calculated pursuant to paragraph (1)(A)(i) or the amount determined pursuant to paragraph (1)(B) to the nearest standard size as follows:

(A) Between two kilowatts alternating current power and 20 kilowatts alternating current power, round up to the nearest two kilowatts alternating current power increment; and

(B) between 20 kilowatts alternating current power and 150 kilowatts alternating current power, round up to the nearest five kilowatts alternating current power increment.

(d) For customer-generators that operate a renewable energy resource under an interconnect agreement with the affected utility on or after January 1, 2026:

(1) The generating capacity of a customer-generator's renewable energy resource as approved by the affected utility shall not exceed export capacity by more than 50%; and

(2) energy storage capacity, including electric vehicles or other portable energy storage devices, shall not be included in any sizing formulas unless the energy storage

device has the ability to add export capacity and is not part of an export limited system.

(c) For customer-generators that operate a generation resource designed to export an amount of power that differs from the system's generating capacity:

(1) The customer-generator shall own and maintain any necessary export limiting device;

(2) protections shall be in place to restrict the export limiting device settings to qualified persons;

(3) the utility shall have the option to require a witness test of the export limiting device's function or set points prior to granting permission to operate;

(4) the export capacity of the system shall not be increased without prior approval from the utility;

(5) the customer-generator shall allow the utility to perform periodic witness testing of the export limiting device's function or settings upon request;

(6) if the export limiting device's settings are incorrect or if the device fails to limit the export of power below the designed export capacity for more than 15 minutes in any single event, the customer-generator shall cease operation of the system until repair or reprogramming of the limiting device is completed; and

(7) the utility shall not restrict the brand or model of the limiting device if the device is approved by the generator's manufacturer or is underwriter laboratories listed to perform such operations in conjunction with the customer-generator's system.";

Also on page 15, in line 3, before "K.S.A." by inserting "K.S.A. 66-1264, 66-1265, 66-1266 and 66-1267 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 19, after the semicolon by inserting "prohibiting the commission from authorizing the retirement of nuclear powered and fossil fuel-fired electric generating units unless certain requirements are met; authorizing electric public utilities to retain certain electric generating facilities in the utility's rate base; requiring the commission to report annually on public utility requests to retire electric generating units;"; in line 26, after the semicolon by inserting "revising the net metering and easy connection act; increasing the public utility system-wide capacity limit for facilities subject to net metering; requiring net metering facilities to be appropriately sized based on the customer's expected load; establishing requirements for exporting power from a net metering facility to a utility;"; in line 27, after "amending" by inserting "K.S.A. 66-1264, 66-1265, 66-1266 and 66-1267 and";

And your committee on conference recommends the adoption of this report.

MICHAEL FAGG

MIKE PETERSEN

MARCI FRANCISCO

Conferees on part of Senate

LEO DELPERDANG

CARL TURNER

KC OHAEBOSIM

Conferees on part of House

Senator Fagg moved the Senate adopt the Conference Committee Report on **HB 2527**.

On roll call, the vote was: Yeas 33; Nays 2; Present and Passing 4; Absent or Not Voting 1.

Yeas: Alley, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Steffen, Tyson.

Present and Passing: Baumgardner, Billinger, Blasi, Haley.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2588** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 10 through 35;

By striking all on pages 2 through 6;

On page 7, by striking all in lines 1 through 7; following line 7 by inserting:

"Section 1. (a) The Kansas legislature finds and declares that:

(1) The permitting, construction, modification, maintenance and operation of telecommunications facilities are critical to ensuring that all citizens in the state have true access to broadband and other advanced technology and information;

(2) telecommunications facilities are critical to ensuring that businesses and schools throughout the state remain competitive in the global economy;

(3) telecommunications facilities that enable broadband services have a significant economic benefit; and

(4) the permitting, construction, modification, maintenance and operation of telecommunications facilities, to the extent specified in this section, are declared to be matters of statewide concern and interest.

(b) As used in this section:

(1) "Public right-of-way" means only the area of real property in which a county has a dedicated or acquired right-of-way interest in the real property. "Public right-of-way" includes the area on, below or above the present and future streets, roads, highways, parkways or boulevards dedicated or acquired as right-of-way by a county. "Public right-of-way" does not include:

(A) The airwaves above a "public right-of-way" with respect to wireless telecommunications or other non-wire telecommunications or broadcast services;

(B) easements obtained by utilities or private easements; or

(C) any real property, structures or facilities under the ownership, control or jurisdiction of the secretary of transportation.

(2) "Provider" means a local exchange carrier or telecommunications carrier as such terms are defined in K.S.A. 66-1,187 and amendments thereto, or a video service provider as defined in K.S.A. 12-2022, and amendments thereto. "Provider" does not include an applicant as defined in K.S.A. 66-2019, and amendments thereto.

(c) Without abrogating any rights held by a video service provider pursuant to a

state-issued video service authorization, any provider shall have the right pursuant to this section to construct, maintain and operate poles, conduit, cable, switches and related appurtenances and facilities along, across, upon and under any public right-of-way in this state. Such poles, conduit, cable, switches and related appurtenances and facilities shall be so constructed and maintained as not to obstruct or hinder the usual travel or public safety on such public ways or the legal use by other utilities or providers.

(d) A county shall impose any and all public right-of-way access and permit processes in a nondiscriminatory and competitively neutral manner to all similarly situated providers, including, but not limited to:

- (1) The permit fees charged by the county;
- (2) the forms and filings required by the county for a permit application;
- (3) the time with which a county may approve or deny a permit; and
- (4) options for waivers regarding such permit fees, forms and filings.

(e) No county shall create, enact or erect any discriminatory, unreasonable condition, requirement or barrier for entry into or use of the public right-of-way by a provider.

(f) A county may only assess the following non-discriminatory and competitively neutral fees against a provider, for the administration and orderly use of the public right-of-way, provided that such fees reimburse the county for the county's reasonable, actual and verifiable costs of managing the public right-of-way:

(1) A construction permit fee charged in connection with issuing a construction permit to set fixtures in the public right-of-way that compensates the county for the reasonable administrative expenses incurred by the county for issuing, processing and verifying the permit application;

(2) an excavation permit fee for each pavement cut to recover the direct and reasonable costs associated with construction and repair activity of the provider. Any excavation permit fee imposed by the county shall be based upon a regional specific or other appropriate study establishing the basis for such costs that takes into account the life of the county road or highway prior to the construction or repair activity and the remaining life of the road or highway. Such excavation permit fee shall be expressly limited to the proportion of the cost attributable to the activity of the provider that results in an actual pavement cut; and

(3) inspection fees to recover all reasonable costs associated with a county's inspection of the work of the provider in the right-of-way.

(g) A county shall authorize any video service provider as defined in K.S.A. 12-2022, and amendments thereto, to offset any fees and charges imposed pursuant to this section against payment of any video service provider fee imposed pursuant to K.S.A. 12-2024, and amendments thereto.

(h) A county may assess against a provider costs associated with repairing and restoring the public right-of-way because of damage caused by the provider, its assigns, contractors or subcontractors, or both, in the public right-of-way. A county may require a provider to furnish a performance bond, in a form acceptable to the county, from a surety licensed to conduct surety business in the state of Kansas, to ensure appropriate and timely performance in the construction and maintenance of facilities located in the public right-of-way.

(i) A county may not assess any additional fees or costs against providers for use or

occupancy of the public right-of-way other than those specified in this section. Any fees or costs imposed pursuant to this section shall be imposed upon all such providers in a nondiscriminatory and competitively neutral manner.

(j) Upon request by a provider, a county shall, in a timely manner, provide an accounting for the reasonable, actual and verifiable costs that are the basis for any fee permitted in subsection (f).

(k) This section may not be construed to affect any valid taxation of a provider's facilities or services.

(l) Any ordinance enacted prior to the effective date of this act governing the use and occupancy of the public right-of-way by a provider shall not conflict with the provisions of this section.

(m) No provider shall enter into a contract or any other agreement with a county to sell or provide a product or service that the provider's business does not actually sell or provide.

(n) Any county or provider may bring an action in a court of competent jurisdiction to enforce the provisions of this act.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 6; in line 7, by striking all before the period and inserting "counties; relating to the public right-of-way; authorizing telecommunication, broadband and video service providers to operate in county public right-of-way; limiting the fees and costs that a county may impose upon such providers for such activities";

And your committee on conference recommends the adoption of this report.

MICHAEL FAGG

MIKE PETERSEN

MARCI FRANCISCO

Conferees on part of Senate

LEO DELPERDANG

CARL TURNER

KC OHAEBOSIM

Conferees on part of House

Senator Fagg moved the Senate adopt the Conference Committee Report on **HB 2588**.

On roll call, the vote was: Yeas 26; Nays 7; Present and Passing 6; Absent or Not Voting 1.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Shallenburger, Sykes, Ware, Warren, Wilborn.

Nays: Baumgardner, Pittman, Pyle, Steffen, Straub, Thompson, Tyson.

Present and Passing: Francisco, Gossage, Haley, Holland, Holscher, Reddi.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2618** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

MICHAEL THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

PAT PROCTOR

PAUL WAGGONER

BRANDON WOODARD

Conferees on part of House

On motion of Senator Thompson the Senate adopted the conference committee report on **HB 2618**, and requested a new conference be appointed.

The President appointed Senators Thompson, Kloos and Faust-Goudeau as a second Conference Committee on the part of the Senate on **HB 2618**.

CHANGE OF CONFERENCE

Senators Tyson, Peck, and Holland are appointed to replace Senators Petersen, Kloos, and Corson as members of the conference committee on **SB 410**.

Senators Tyson, Peck, and Holland are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **HB 2096**.

Senators Tyson, Peck, and Holland are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **HB 2098**.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Thursday, April 4, 2024.

Journal of the Senate

SIXTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, April 4, 2024, 10:00 a.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 39 senators present.

Senator Ryckman was excused.

The President introduced guest Chaplain, Pastor Greg Fletcher, to deliver the invocation:

Heavenly Father, we need to give You thanks for the creation You have entrusted those that occupy the seats inside these chamber walls. We ask that You give them what it takes to be the best stewards of that creation. Lord, I pray that the individuals in this room are working together, searching for Your wisdom and find Your guidance, to ensure all decisions made stay in alignment with Your scriptures. Father, bond the relationships in this building and may they be intentional to work in harmony during these times that could be the toughest in the history of our state. Our motto translated says "to the stars through difficulties." I pray that everyone here will look hard at those words along with scripture and figure out how to be inclusive, not divisive.

Please send the Holy Spirit to work inside these chamber walls and give encouragement to all involved that will enable them to make the best and right decisions for this precious part of creation. Please provide help to this group of men and women as they plan and plot to do what is best for the people of Kansas.

Father, as we just concluded a wonderful week of celebrating the sacrifices that You made for us over 2000 years ago, may we be in the same spirit to serve You and find the purposes You have for this part of Kansas government. Please work in the lives and hearts of those that make up this chamber. Give them insight and wisdom to make tough decisions for future generations of this great state. With Your help, they will harmonize and deal with today's issues in a way that glorifies You and lifts this state to a level that will be recognized by others in this great country and around the globe.

Finally, Father, I ask that You be with the families of all members of this chamber. Please wrap Your comforting and protecting arms around them as they are an important part of everyone here today.

Father, I ask all of this in your Son's precious Name, Jesus Christ. Amen

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator Dietrich introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1753—

A RESOLUTION recognizing Chuck Torrence for his outstanding service to the state of Kansas and congratulating him on his retirement.

WHEREAS, Since January of 1990, Charles "Chuck" Torrence has been dedicated to serving the needs of legislators, support staff and visitors of the Kansas State Capitol; and

WHEREAS, Chuck is very knowledgeable about the history of the Kansas State Capitol, from its origins to present day, and he has assisted with the needs of many throughout its most recent renovation; and

WHEREAS, Whenever legislators or staff needed assistance, they were often told "ask Chuck"; and

WHEREAS, Year after year, Chuck has put in many long hours ahead of the arrival of the legislative body. Each year, Chuck worked tirelessly to have everything ready on time; and

WHEREAS, A tall task Chuck undertook was manually labeling and rearranging the voting boards atop a tall ladder, which Chuck was pictured doing one year in the Topeka Capitol Journal; and

WHEREAS, Chuck's commitment to integrity during his interactions with all staff and conducting legislative business stems from the influence of his father, Elon Torrence, and his sister, Mary Ann Torrence. Elon covered the Kansas Legislature for the Associated Press for many years and Mary Ann is a former Revisor of Statutes; and

WHEREAS, The Torrence legacy of service to the great state of Kansas ends with Chuck as he plans to retire from the Kansas State Legislature in the summer of 2024. Following his retirement, Chuck plans to spend his time golfing, traveling and keeping up with the University of Kansas Jayhawks, alongside his wife, Carol: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize Chuck Torrence for his outstanding service to legislators, support staff and visitors of the Kansas State Capitol and congratulate him on his well-deserved retirement; and

Be it further resolved: That the Secretary of the Senate shall send two enrolled copies of this resolution to Senator Dietrich.

On emergency motion of Senator Dietrich **SR 1753** was adopted by voice vote.

MESSAGES FROM THE GOVERNOR

SB 331, SB 360, SB 362, SB 381, SB 433, SB 491 approved on April 4, 2024

MESSAGES FROM THE HOUSE

The House adopts the Conference Committee report on **SB 359**.

The House adopts the Conference Committee report on **HB 2481**.

The House adopts the Conference Committee report on **HB 2527**.

The House adopts the Conference Committee report on **HB 2588**.

The House concurs in Senate amendments to **HB 2607**, and requests return of the bill.

The House announced the appointment of Representatives Humphries, Lewis and Osman as conferees on **S Sub HB 2070**

The House announced the appointment of Representatives Smith, A., Bergkamp and Sawyer as conferees on **HB 2097**

The House adopts the Conference Committee report to agree to disagree on **HB 2465**, and has appointed Representatives Smith, A., Bergkamp and Sawyer as

Second conferees on the part of the House.

The House concurs in Senate amendments to **HB 2577**, and requests return of the bill.

The House adopts the Conference Committee report on **H Sub SB 387**.

The House adopts the Conference Committee report on **SB 18**.

The House adopts the Conference Committee report on **SB 384**.

The House adopts the Conference Committee report on **SB 356**.

The House adopts the Conference Committee report on **H Sub SB 73**.

The House adopts the Conference Committee report to agree to disagree on **SB 438**, and has appointed Representatives Thomas, Estes and Stogsdill as Second conferees on the part of the House.

The House announced the appointment of Representatives Thomas, Estes and Stogsdill as conferees on **SB 19**

The House adopts the Conference Committee report on **SB 14**.

The House adopts the Conference Committee report on **SB 115**.

The House adopts the Conference Committee report on **H Sub SB 271**.

The House adopts the Conference Committee report on **SB 423**.

The House adopts the Conference Committee report to agree to disagree on **S Sub HB 2070**, and has appointed Representatives Humphries, Lewis and Osman as Second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 14** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 28; following line 28, by inserting:

"Section 1. K.S.A. 2023 Supp. 25-1122 is hereby amended to read as follows: 25-1122. (a) Any registered voter may file with the county election officer where such person is a resident, or where such person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application shall be transmitted only to the county election officer by personal delivery, mail, facsimile or as otherwise provided by law.

(b) If the registered voter is applying for an advance voting ballot to be transmitted in person, the voter shall provide identification pursuant to K.S.A. 25-2908, and amendments thereto.

(c) If the registered voter is applying for an advance voting ballot to be transmitted by mail, the voter shall provide with the application for an advance voting ballot the voter's current and valid Kansas driver's license number, nondriver's identification card number or a photocopy of any other identification provided by K.S.A. 25-2908, and amendments thereto.

(d) A voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto, if:

- (1) The voter is unable or refuses to provide current and valid identification; or
- (2) the name and address of the voter provided on the application for an advance

voting ballot do not match the voter's name and address on the registration book. The voter shall provide a valid form of identification as defined in K.S.A. 25-2908, and amendments thereto, to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) No county election officer shall provide an advance voting ballot to a person who is requesting an advance voting ballot to be transmitted by mail unless:

(1) The county election official verifies that the signature of the person matches that on file in the county voter registration records, except that verification of the voter's signature shall not be required if a voter has a disability preventing the voter from signing. Signature verification may occur by electronic device or by human inspection. In the event that the signature of a person who is requesting an advance voting ballot does not match that on file, the county election officer shall attempt to contact the person and shall offer the person another opportunity to provide the person's signature for the purposes of verifying the person's identity. If the county election officer is unable to reach the person, the county election officer may transmit a provisional ballot, however, such provisional ballot may not be counted unless a signature is included therewith that can be verified; and

(2) the person provides such person's full Kansas driver's license number, Kansas nondriver's identification card number issued by the division of vehicles, or submits such person's application for an advance voting ballot and a copy of identification provided by K.S.A. 25-2908, and amendments thereto, to the county election officer for verification. If a person applies for an advance voting ballot to be transmitted by mail but fails to provide identification pursuant to this subsection or the identification of the person cannot be verified by the county election officer, the county election officer shall provide information to the person regarding the voter rights provisions of subsection (d) and shall provide the person an opportunity to provide identification pursuant to this subsection. For the purposes of this act, Kansas state offices and offices of any subdivision of the state will allow any person seeking to vote by an advance voting ballot the use of a photocopying device to make one photocopy of an identification document at no cost.

(f) (1) Applications for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:

(A) For the primary election occurring on the first Tuesday in August in both even-numbered and odd-numbered years, between April 1 of such year and the Tuesday of the week preceding such primary election;

(B) for the general election occurring on the Tuesday following the first Monday in November in both even-numbered and odd-numbered years, between 90 days prior to such election and the Tuesday of the week preceding such general election;

(C) for the presidential preference primary election held pursuant to K.S.A. 25-4501a, and amendments thereto, between January 1 of the year in which such election is held and 30 days prior to the day of such election;

(D) for question submitted elections occurring on the date of a primary or general

election, the same as is provided for ballots for election of officers at such election;

(E) for question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the Tuesday of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the final date for mailing of advance voting ballots shall be one week before such election; and

(F) for any special election of officers, at such time as is specified by the secretary of state.

(2) The county election officer of any county may receive applications prior to the time specified in this subsection and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(g) (1) Unless an earlier date is designated by the county election office, applications for advance voting ballots transmitted to the voter in person shall be filed on the Tuesday next preceding the election and on each subsequent business day until ~~no~~ not later than 12 noon on the day preceding such election. If the county election officer so provides, applications for advance voting ballots transmitted to the voter in person ~~in the office of the county election officer~~ also may be filed on the Saturday or Sunday preceding the election, except that such election officer shall provide at least four hours of in-person voting on the Saturday preceding an election. Upon receipt of any such properly executed application, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

(2) An application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language or by a person rendering assistance to such voter may be filed during the regular advance ballot application periods until the close of the polls on election day.

(3) The county election officer may designate places other than the central county election office as satellite advance voting sites. At any satellite advance voting site, a registered voter may obtain an application for advance voting ballots. Ballots and instructions shall be delivered to the voter in the same manner and subject to the same limitations as otherwise provided by this subsection.

(h) Any person having a permanent disability or an illness that has been diagnosed as a permanent illness is hereby authorized to make an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots and also shall contain information that establishes the voter's right to permanent advance voting status.

(i) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, together with their correct post office address and the precinct, ward, township or voting area in which the persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant. Names and addresses shall remain so listed until the day of such election. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. All such lists shall be available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of the applications shall enter

upon a record kept by such officer the name and address of each applicant, which record shall conform to the list above required. Before inspection of any advance voting ballot application list, the person desiring to make the inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by the officer stating the person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the voter identification information required by subsections (b) and (c) and the identifying number on ballots and ballot envelopes and records of such numbers shall not be made public.

(j) If a person on the permanent advance voting list fails to vote in four consecutive general elections, the county election officer may mail a notice to such voter. The notice shall inform the voter that the voter's name will be removed from the permanent advance voting list unless the voter renews the application for permanent advance voting status within 30 days after the notice is mailed. If the voter fails to renew such application, the county election officer shall remove the voter's name from the permanent advance voting list. Failure to renew the application for permanent advance voting status shall not result in removal of the voter's name from the voter registration list.

(k) (1) Any person who solicits by mail a registered voter to file an application for an advance voting ballot and includes an application for an advance voting ballot in such mailing shall include on the exterior of such mailing, and on each page contained therein, except the application, a clear and conspicuous label in 14-point font or larger that includes:

(A) The name of the individual or organization that caused such solicitation to be mailed;

(B) if an organization, the name of the president, chief executive officer or executive director of such organization;

(C) the address of such individual or organization; and

(D) the following statement: "Disclosure: This is not a government mailing. It is from a private individual or organization."

(2) The application for an advance voting ballot included in such mailing shall be the official application for advance ballot by mail provided by the secretary of state. No portion of such application shall be completed prior to mailing such application to the registered voter.

(3) An application for an advance voting ballot shall include an envelope addressed to the appropriate county election office for the mailing of such application. In no case shall the person who mails the application to the voter direct that the completed application be returned to such person.

(4) The provisions of this subsection shall not apply to:

(A) The secretary of state or any election official or county election office; or

(B) the official protection and advocacy for voting access agency for this state as designated pursuant to the federal help America vote act of 2002, public law 107-252, or any other entity required to provide information concerning elections and voting procedures by federal law.

(5) A violation of this subsection is a class C nonperson misdemeanor.

(l) (1) No person shall mail or cause to be mailed an application for an advance

voting ballot, unless such person is a resident of this state or is otherwise domiciled in this state.

(2) Any individual may file a complaint in writing with the attorney general alleging a violation of this subsection. Such complaint shall include the name of the person alleged to have violated this subsection and any other information as required by the attorney general. Upon receipt of a complaint, the attorney general shall investigate and may file an action against any person found to have violated this subsection.

(3) Any person who violates the provisions of this subsection is subject to a civil penalty of \$20. Each instance in which a person mails an application for an advance voting ballot in violation of this section shall constitute a separate violation.

(m) A county election officer shall not mail a ballot to a voter unless such voter has submitted an application for an advance voting ballot, except that a ballot may be mailed to a voter if such voter has permanent advance voting ballot status pursuant to subsection (h) or if the election is conducted pursuant to the mail ballot election act, K.S.A. 25-431 et seq., and amendments thereto.

(n) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and to define valid forms of identification.

Sec. 2. On and after January 1, 2025, K.S.A. 2023 Supp. 25-1122, as amended by section 1 of this act, is hereby amended to read as follows: 25-1122. (a) Any registered voter may file with the county election officer where such person is a resident, or where such person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application shall be transmitted only to the county election officer by personal delivery, mail, facsimile or as otherwise provided by law.

(b) If the registered voter is applying for an advance voting ballot to be transmitted in person, the voter shall provide identification pursuant to K.S.A. 25-2908, and amendments thereto.

(c) If the registered voter is applying for an advance voting ballot to be transmitted by mail, the voter shall provide with the application for an advance voting ballot the voter's current and valid Kansas driver's license number, nondriver's identification card number or a photocopy of any other identification provided by K.S.A. 25-2908, and amendments thereto.

(d) A voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto, if:

(1) The voter is unable or refuses to provide current and valid identification; or
(2) the name and address of the voter provided on the application for an advance voting ballot do not match the voter's name and address on the registration book. The voter shall provide a valid form of identification as defined in K.S.A. 25-2908, and amendments thereto, to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) No county election officer shall provide an advance voting ballot to a person who is requesting an advance voting ballot to be transmitted by mail unless:

(1) The county election official verifies that the signature of the person matches

that on file in the county voter registration records, except that verification of the voter's signature shall not be required if a voter has a disability preventing the voter from signing. Signature verification may occur by electronic device or by human inspection. In the event that the signature of a person who is requesting an advance voting ballot does not match that on file, the county election officer shall attempt to contact the person and shall offer the person another opportunity to provide the person's signature for the purposes of verifying the person's identity. If the county election officer is unable to reach the person, the county election officer may transmit a provisional ballot, however, such provisional ballot may not be counted unless a signature is included therewith that can be verified; and

(2) the person provides such person's full Kansas driver's license number, Kansas nondriver's identification card number issued by the division of vehicles, or submits such person's application for an advance voting ballot and a copy of identification provided by K.S.A. 25-2908, and amendments thereto, to the county election officer for verification. If a person applies for an advance voting ballot to be transmitted by mail but fails to provide identification pursuant to this subsection or the identification of the person cannot be verified by the county election officer, the county election officer shall provide information to the person regarding the voter rights provisions of subsection (d) and shall provide the person an opportunity to provide identification pursuant to this subsection. For the purposes of this act, Kansas state offices and offices of any subdivision of the state will allow any person seeking to vote by an advance voting ballot the use of a photocopying device to make one photocopy of an identification document at no cost.

(f) (1) Applications for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:

(A) For the primary election occurring on the first Tuesday in August in both even-numbered and odd-numbered years, between April 1 of such year and ~~the Tuesday of the week 14 days~~ preceding such primary election;

(B) for the general election occurring on the Tuesday following the first Monday in November in both even-numbered and odd-numbered years, between 90 days prior to such election and ~~the Tuesday of the week 14 days~~ preceding such general election;

(C) for the presidential preference primary election held pursuant to K.S.A. 25-4501a, and amendments thereto, between January 1 of the year in which such election is held and 30 days prior to the day of such election;

(D) for question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election;

(E) for question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and ~~the Tuesday of the week 14 days~~ preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the final date for mailing of advance voting ballots shall be ~~one week 14 days~~ before such election; and

(F) for any special election of officers, at such time as is specified by the secretary of state.

(2) The county election officer of any county may receive applications prior to the time specified in this subsection and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(g) (1) Unless an earlier date is designated by the county election office,

applications for advance voting ballots transmitted to the voter in person shall be filed on the Tuesday next preceding the election and on each subsequent business day until not later than ~~12 noon on the day~~ 7:00 p.m. Sunday preceding such election except a county election officer may allow in-person voting until noon Monday for any person for good cause. If the county election officer so provides, applications for advance voting ballots transmitted to the voter in person also may be filed on the Saturday or Sunday preceding the election, except that such election officer shall provide at least four hours of in-person voting on the Saturday preceding an election. Upon receipt of any such properly executed application, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

(2) An application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language or by a person rendering assistance to such voter may be filed during the regular advance ballot application periods until the close of the polls on election day.

(3) The county election officer may designate places other than the central county election office as satellite advance voting sites. At any satellite advance voting site, a registered voter may obtain an application for advance voting ballots. Ballots and instructions shall be delivered to the voter in the same manner and subject to the same limitations as otherwise provided by this subsection.

(h) Any person having a permanent disability or an illness that has been diagnosed as a permanent illness is hereby authorized to make an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots and also shall contain information that establishes the voter's right to permanent advance voting status.

(i) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, together with their correct post office address and the precinct, ward, township or voting area in which the persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant. Names and addresses shall remain so listed until the day of such election. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. All such lists shall be available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of the applications shall enter upon a record kept by such officer the name and address of each applicant, which record shall conform to the list above required. Before inspection of any advance voting ballot application list, the person desiring to make the inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by the officer stating the person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the voter identification information required by subsections (b) and (c) and the identifying number on ballots and ballot envelopes and records of such numbers shall not be made public.

(j) If a person on the permanent advance voting list fails to vote in four consecutive

general elections, the county election officer may mail a notice to such voter. The notice shall inform the voter that the voter's name will be removed from the permanent advance voting list unless the voter renews the application for permanent advance voting status within 30 days after the notice is mailed. If the voter fails to renew such application, the county election officer shall remove the voter's name from the permanent advance voting list. Failure to renew the application for permanent advance voting status shall not result in removal of the voter's name from the voter registration list.

(k) (1) Any person who solicits by mail a registered voter to file an application for an advance voting ballot and includes an application for an advance voting ballot in such mailing shall include on the exterior of such mailing, and on each page contained therein, except the application, a clear and conspicuous label in 14-point font or larger that includes:

(A) The name of the individual or organization that caused such solicitation to be mailed;

(B) if an organization, the name of the president, chief executive officer or executive director of such organization;

(C) the address of such individual or organization; and

(D) the following statement: "Disclosure: This is not a government mailing. It is from a private individual or organization."

(2) The application for an advance voting ballot included in such mailing shall be the official application for advance ballot by mail provided by the secretary of state. No portion of such application shall be completed prior to mailing such application to the registered voter.

(3) An application for an advance voting ballot shall include an envelope addressed to the appropriate county election office for the mailing of such application. In no case shall the person who mails the application to the voter direct that the completed application be returned to such person.

(4) The provisions of this subsection shall not apply to:

(A) The secretary of state or any election official or county election office; or

(B) the official protection and advocacy for voting access agency for this state as designated pursuant to the federal help America vote act of 2002, public law 107-252, or any other entity required to provide information concerning elections and voting procedures by federal law.

(5) A violation of this subsection is a class C nonperson misdemeanor.

(l) (1) No person shall mail or cause to be mailed an application for an advance voting ballot, unless such person is a resident of this state or is otherwise domiciled in this state.

(2) Any individual may file a complaint in writing with the attorney general alleging a violation of this subsection. Such complaint shall include the name of the person alleged to have violated this subsection and any other information as required by the attorney general. Upon receipt of a complaint, the attorney general shall investigate and may file an action against any person found to have violated this subsection.

(3) Any person who violates the provisions of this subsection is subject to a civil penalty of \$20. Each instance in which a person mails an application for an advance voting ballot in violation of this section shall constitute a separate violation.

(m) A county election officer shall not mail a ballot to a voter unless such voter has

submitted an application for an advance voting ballot, except that a ballot may be mailed to a voter if such voter has permanent advance voting ballot status pursuant to subsection (h) or if the election is conducted pursuant to the mail ballot election act, K.S.A. 25-431 et seq., and amendments thereto.

(n) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and to define valid forms of identification.

Sec. 3. On and after January 1, 2025, K.S.A. 25-1123 is hereby amended to read as follows: 25-1123. (a) When an application for an advance voting ballot has been filed in accordance with K.S.A. 25-1122, and amendments thereto, the county election officer shall transmit to the voter applying therefor one each of the appropriate ballots. Unless an advance voting ballot is transmitted in person pursuant to this subsection, the county election officer shall transmit the advance voting ballots to the voter at one of the following addresses as specified by the voter on such application: (1) The voter's residential address or mailing address as indicated on the registration list; (2) the voter's temporary residential address; or (3) a medical care facility as defined in K.S.A. 65-425, and amendments thereto, psychiatric hospital, hospice or adult care home where the voter resides. No advance voting ballot shall be transmitted by the county election officer by any means prior to the ~~20th~~ 22nd day before the election for which an application for an advance voting ballot has been received by such county election officer. If the advance voting ballot is transmitted by mail, such ballot shall be transmitted with printed instructions prescribed by the secretary of state and a ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot. If the advance voting ballot is transmitted to the applicant in person in the office of the county election officer or at a satellite advance voting site, such advance voting ballot and printed instructions shall be transmitted in an advance voting ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot unless the voter elects to deposit the advance voting ballot into a locked ballot box without an envelope. All ballots shall be transmitted to the advance voting voter not more than ~~20~~ 22 days before the election but within two business days of the receipt of such voter's application by the election officer or the commencement of such ~~20-day~~ 22-day period. In primary elections required to be conducted on a partisan basis, the election officer shall deliver to such voter the ballot of the political party of the applicant.

(b) The restrictions in subsection (a) relating to where a county election officer may transmit an advance voting ballot shall not apply to an advance voting ballot requested pursuant to an application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language.

(c) The county election officer shall compare the driver's license number, nondriver's identification card number or copy of other valid identification provided by a voter to the voter registration list verified by the division of vehicles in accordance with federal law. If no identification information was provided by the voter or if such information does not match the information on the voter registration list, the county election officer shall transmit a provisional advance voting ballot.

Sec. 4. K.S.A. 25-1128 is hereby amended to read as follows: 25-1128. (a) No voter shall knowingly mark or transmit to the county election officer more than one advance voting ballot, or set of one of each kind of ballot, if the voter is entitled to vote more

than one such ballot at a particular election.

(b) Except as provided in K.S.A. 25-1124, and amendments thereto, no person shall knowingly interfere with or delay the transmission of any advance voting ballot application from a voter to the county election officer, nor shall any person mail, fax or otherwise cause the application to be sent to a place other than the county election office. Any person or group engaged in the distribution of advance voting ballot applications shall mail, fax or otherwise deliver any application signed by a voter to the county election office within two days after such application is signed by the applicant.

(c) Except as otherwise provided by law, no person other than the voter, shall knowingly mark, sign or transmit to the county election officer any advance voting ballot or advance voting ballot envelope.

(d) Except as otherwise provided by law, no person shall knowingly sign an application for an advance voting ballot for another person. This provision shall not apply if a voter has a disability preventing the voter from signing an application or if an immediate family member signs an application on behalf of another immediate family member with proper authorization being given.

(e) No person, unless authorized by K.S.A. 25-1122 or 25-1124, and amendments thereto, shall knowingly intercept, interfere with, or delay the transmission of advance voting ballots from the county election officer to the voter.

(f) No person shall knowingly and falsely affirm, declare or subscribe to any material fact in an affirmation form for an advance voting ballot or set of advance voting ballots.

(g) A voter may return such voter's advance voting ballot to the county election officer by personal delivery or by mail. Subject to the provisions of K.S.A. 25-2437, and amendments thereto, a person other than the voter may return the advance voting ballot by personal delivery or mail if authorized by the voter in writing as provided in K.S.A. 25-2437, and amendments thereto, except that a written designation shall not be required from a voter who has a disability preventing the voter from writing or signing a written designation. Any such person designated by the voter shall sign a statement in accordance with K.S.A. 25-2437, and amendments thereto. All ballots cast by advance in-person voting shall be delivered to the county election office not later than 12 noon on the Monday preceding the date of the election. If the county election officer so provides, such ballots may be delivered or cast on the Saturday or Sunday preceding the election, except that such election officer shall provide at least four hours of in-person advance voting on the Saturday preceding an election.

(h) Except as otherwise provided by federal law, no person shall knowingly backdate or otherwise alter a postmark or other official indication of the date of mailing of an advance voting ballot returned to the county election officer by mail for the purpose of indicating a date of mailing other than the actual date of mailing by the voter or the voter's designee.

(i) Violation of any provision of this section is a severity level 9, nonperson felony.

Sec. 5. On and after January 1, 2025, K.S.A. 25-1128, as amended by section 4 of this act, is hereby amended to read as follows: 25-1128. (a) No voter shall knowingly mark or transmit to the county election officer more than one advance voting ballot, or set of one of each kind of ballot, if the voter is entitled to vote more than one such ballot at a particular election.

(b) Except as provided in K.S.A. 25-1124, and amendments thereto, no person shall

knowingly interfere with or delay the transmission of any advance voting ballot application from a voter to the county election officer, nor shall any person mail, fax or otherwise cause the application to be sent to a place other than the county election office. Any person or group engaged in the distribution of advance voting ballot applications shall mail, fax or otherwise deliver any application signed by a voter to the county election office within two days after such application is signed by the applicant.

(c) Except as otherwise provided by law, no person other than the voter, shall knowingly mark, sign or transmit to the county election officer any advance voting ballot or advance voting ballot envelope.

(d) Except as otherwise provided by law, no person shall knowingly sign an application for an advance voting ballot for another person. This provision shall not apply if a voter has a disability preventing the voter from signing an application or if an immediate family member signs an application on behalf of another immediate family member with proper authorization being given.

(e) No person, unless authorized by K.S.A. 25-1122 or 25-1124, and amendments thereto, shall knowingly intercept, interfere with, or delay the transmission of advance voting ballots from the county election officer to the voter.

(f) No person shall knowingly and falsely affirm, declare or subscribe to any material fact in an affirmation form for an advance voting ballot or set of advance voting ballots.

(g) A voter may return such voter's advance voting ballot to the county election officer by personal delivery or by mail. Subject to the provisions of K.S.A. 25-2437, and amendments thereto, a person other than the voter may return the advance voting ballot by personal delivery or mail if authorized by the voter in writing as provided in K.S.A. 25-2437, and amendments thereto, except that a written designation shall not be required from a voter who has a disability preventing the voter from writing or signing a written designation. Any such person designated by the voter shall sign a statement in accordance with K.S.A. 25-2437, and amendments thereto. All ballots cast by advance in-person voting shall be delivered to the county election office not later than ~~12 noon~~ 7:00 p.m. on the ~~Monday~~ Sunday preceding the date of the election. If the county election officer so provides, such ballots may be delivered or cast on the Saturday or Sunday preceding the election, except that such election officer shall provide at least four hours of in-person advance voting on the Saturday preceding an election.

(h) Except as otherwise provided by federal law, no person shall knowingly backdate or otherwise alter a postmark or other official indication of the date of mailing of an advance voting ballot returned to the county election officer by mail for the purpose of indicating a date of mailing other than the actual date of mailing by the voter or the voter's designee.

(i) Violation of any provision of this section is a severity level 9, nonperson felony.

Sec. 6. On and after January 1, 2025, K.S.A. 25-1132 is hereby amended to read as follows: 25-1132. (a) All advance voting ballots that are received in the office of the county election officer or any polling place within the county not later than the hour for closing of the polls on the date of any election specified in K.S.A. 25-1122(f), and amendments thereto, shall be delivered by the county election officer to the appropriate special election board provided for in K.S.A. 25-1133, and amendments thereto.

(b) ~~Subject to the deadline for receipt by the office of the county election officer as set forth in this subsection, all advance voting ballots received by mail by the office of~~

~~the county election officer after the closing of the polls on the date of any election specified in K.S.A. 25-1122(f), and amendments thereto, and which are postmarked or are otherwise indicated by the United States postal service to have been mailed on or before the close of the polls on the date of the election, shall be delivered by the county election officer to a special election board or the county board of canvassers, as determined by the secretary of state, for canvassing in a manner consistent, as nearly as may be, with other advance voting ballots. The deadline for the receipt by mail of the advance voting ballots by the office of the county election officer shall be the last delivery of mail by the United States postal service 7:00 p.m. on the third day following the date of the election.~~

(c) The secretary of state shall adopt rules and regulations to implement this subsection section.

Sec. 7. On and after January 1, 2025, K.S.A. 2023 Supp. 25-2311 is hereby amended to read as follows: 25-2311. (a) County election officers shall provide for the registration of voters at one or more places on all days except the following:

(1) Days when the main offices of the county government are closed for business, except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312, and amendments thereto;

(2) days when the main offices of the city government are closed for business, in the case of deputy county election officers who are city clerks except as is otherwise provided by any county election officer under the provisions of K.S.A. 25-2312, and amendments thereto;

(3) ~~the-20~~ 22 days preceding the day of primary and general elections;

(4) the 30 days preceding the day of any presidential preference primary election held pursuant to K.S.A. 25-4501a, and amendments thereto;

(5) ~~the-20~~ 22 days preceding the day of any election other than one specified in this subsection; and

(6) the day of any primary or general election or any question submitted election.

(b) For the purposes of this section in counting days that registration books are to be closed, all of the days including Sunday and legal holidays shall be counted.

(c) The secretary of state shall notify every county election officer of the dates when registration shall be closed preceding primary and general elections. The days so specified by the secretary of state shall be conclusive. Such notice shall be given by the secretary of state by mail at least 60 days preceding every primary and general election.

(d) The last days before closing of registration books as directed by the secretary of state under subsection (c), county election officers shall provide for registration of voters during regular business hours, during the noon hours and at other than regular business hours upon such days as the county election officers deem necessary. The last three business days before closing of registration books prior to primary and general elections, county election officers may provide for registration of voters until 9 p.m. in any city.

(e) (1) Except as provided in paragraph (2), county election officers shall accept and process applications received by voter registration agencies and the division of motor vehicles not later than the ~~21st~~ 23rd day preceding the date of any election or mailed voter registration applications that are postmarked not later than the ~~21st~~ 23rd day preceding the date of any election except, if the postmark is illegible or missing, mailed voter registration applications received in the mail not later than the ninth day preceding

the day of any election.

(2) For any presidential preference primary election held pursuant to K.S.A. 25-4501a, and amendments thereto, county election officers shall accept and process applications received by voter registration agencies and the division of motor vehicles not later than the 31st day preceding the date of such election or mailed voter registration applications that are postmarked not later than the 31st day preceding such election except, if the postmark is illegible or missing, mailed voter registration applications received in the mail not later than the 19th day preceding the day of such election.

(f) The secretary of state may adopt rules and regulations interpreting the provisions of this section and specifying the days when registration shall be open, days when registration shall be closed, and days when it is optional with the county election officer for registration to be open or closed.

(g) Before each primary and general election held in even-numbered and odd-numbered years, and at times and in a form prescribed by the secretary of state, each county election officer shall certify to the secretary of state the number of registered voters in each precinct of the county as shown by the registration books in the office of such county election officer.:"

Also on page 2, in line 29, by striking "2022 Supp. 40-2c01 is" and inserting "25-1128 and K.S.A. 2023 Supp. 25-1122 are"; following line 29, by inserting:

"Sec. 9. On and after January 1, 2025, K.S.A. 25-1123, 25-1128, as amended by section 4 of this act, and 25-1132 and K.S.A. 2023 Supp. 25-1122, as amended by section 1 of this act, and 25-2311 are hereby repealed.;"

Also on page 2, in line 31, by striking "Kansas register" and inserting "statute book";
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the semicolon and inserting "elections; relating to advance ballots; extending the time for transmittal of advance ballots to voters to 22 days prior to an election; changing the voter registration deadline before an election to the 23rd day preceding the election; requiring county election officers to provide at least four hours of advance in-person voting on the Saturday before an election; providing that after January 1, 2025, if advance voting ballots are cast in person, such ballots must be received in the county election office by 7:00 p.m. on the Sunday preceding the election; providing an exception; requiring the return of all advance voting ballots by 7:00 p.m. on election day"; also in line 2, by striking "2022"; in line 3, by striking all before "and" and inserting "25-1123, 25-1128, 25-1128, as amended by section 4 of this act, and 25-1132 and K.S.A. 2023 Supp. 25-1122, 25-1122, as amended by section 1 of this act, and 25-2311"; also in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

PAT PROCTOR

PAUL WAGGONER

Conferees on part of House

MICHAEL THOMPSON

RICK KLOOS

Conferees on part of Senate

The motion of Senator Thompson to adopt the conference committee report on **SB 14**

failed.

On roll call, the vote was: Yeas 20; Nays 19; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Warren, Wilborn.

Nays: Baumgardner, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, O'Shea, Olson, Pettey, Pittman, Reddi, Sykes, Tyson, Ware.

Absent or Not Voting: Ryckman.

The Conference Committee Report was not adopted.

Having voted on the prevailing side, Senator Tyson motioned to reconsider previous action. Motion carried.

Senator Tyson motioned to not adopt the Conference Committee Report on **SB 14** and appoint new conference. Motion carried.

The President appointed Senators Thompson, Kloos and Faust Goudeau as third conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 18** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 29; following line 29 by inserting:

"New Section 1. (a) The provisions of sections 1 through 8, and amendments thereto, shall be known and may be cited as the Kansas campus restoration act.

(b) The purpose of the Kansas campus restoration act is to reduce deferred maintenance of educational mission-critical facilities at postsecondary educational institutions, to bring such facilities to a state of good repair and to provide for the demolition or razing of facilities at state educational institutions that are no longer mission-critical.

(c) As used in the Kansas campus restoration act:

(1) "Board of regents" means the same as defined in K.S.A. 76-711, and amendments thereto.

(2) "Fund" means the Kansas campus restoration fund established in section 2, and amendments thereto.

(3) "Postsecondary educational institution" means the same as defined in K.S.A. 74-3201b, and amendments thereto.

(4) "State educational institution" means the same as defined in K.S.A. 76-711, and amendments thereto.

New Sec. 2. (a) There is hereby established in the state treasury the Kansas campus restoration fund. The Kansas campus restoration fund shall be administered by the board of regents. All expenditures from the fund shall be made in accordance with

appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the board of regents or by a person or persons designated by the board of regents.

(b) A deferred maintenance account of the fund shall be established for each postsecondary educational institution for the purpose of making capital improvement expenditures from the fund.

(c) (1) Except as provided in paragraphs (2) and (3), all expenditures from the fund shall require a match of nonstate moneys on a \$1-for-\$1 basis from either the postsecondary educational institution or private moneys.

(2) Expenditures from the fund for a community college, technical college, institute of technology or municipal university shall not require a match.

(3) Expenditures from the fund from a state educational institution's deferred maintenance account for demolition or razing of buildings or facilities on the campus of such state educational institution shall not require a match.

(d) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the Kansas campus restoration fund interest earnings based on:

(1) The average daily balance of moneys in the Kansas campus restoration fund for the preceding month; and

(2) the net earnings rate for the pooled money investment portfolio for the preceding month.

New Sec. 3. On July 1, 2025, July 1, 2026, July 1, 2027, July 1, 2028, July 1, 2029, and July 1, 2030, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$32,700,000 from the state general fund to the Kansas campus restoration fund.

New Sec. 4. (a) Each state educational institution shall develop and submit to the board of regents a plan for the purpose of rehabilitating, remodeling or renovating existing facilities or building new facilities that are mission-critical of such state educational institution and to bring such facilities to a state of good repair. Such plan shall also include a list of facilities for demolition or razing. Each state educational institution's plan shall be subject to approval by the board of regents.

(b) The board of regents shall develop a comprehensive Kansas campus restoration plan that includes facilities from each state educational institution's plan as approved by the board of regents.

(c) The board of regents shall ensure that facilities located on the Kansas state university Salina campus and the university of Kansas Edwards campus in Overland Park, Kansas, are not excluded from direct participation in the Kansas campus restoration plan.

(d) The Kansas campus restoration plan shall encourage, and the board of regents may require, a reduction of total campus square footage in a project associated with such plan.

New Sec. 5. (a) Commencing in fiscal year 2026 through fiscal year 2031, the board of regents shall distribute in each fiscal year an aggregate amount of \$30,000,000 from the Kansas campus restoration fund to each state educational institution's deferred maintenance account established pursuant to section 2, and amendments thereto, in accordance with the Kansas campus restoration plan developed and approved pursuant to section 4, and amendments thereto.

(b) Commencing in fiscal year 2026 through fiscal year 2031, the board of regents shall credit \$100,000 in each fiscal year from the Kansas campus restoration fund to each community college, technical college, institute of technology and municipal university account established pursuant to section 2, and amendments thereto.

New Sec. 6. The board of regents is hereby authorized to adopt rules and regulations necessary to implement and administer the provisions of the Kansas campus restoration act and shall adopt rules and regulations to define:

(a) "Educational mission-critical facilities." Such definition may include, but not be limited to, any facility of a research or economic generation capacity that the board of regents deems essential. Such definition shall not include auxiliary or athletic-funded facilities; and

(b) "state of good repair." Such definition shall be of an industry standard and shall be presented to the joint committee on state building construction for review and comment.

New Sec. 7. Annually on or before the first day of the regular session of the legislature:

(a) The board of regents shall submit a report on the progress of the Kansas campus restoration plan to the senate committee on ways and means, the house of representatives committee on appropriations, the house of representatives higher education budget committee and the joint committee on state building construction; and

(b) each community college, technical college, institute of technology and municipal university shall submit a report on each institution's expenditures of moneys received pursuant to section 5(b), and amendments thereto, to the board of regents, the senate committee on ways and means, the house of representatives committee on appropriations and the house of representatives higher education budget committee.

New Sec. 8. The provisions of sections 1 through 8, and amendments thereto, shall expire on July 1, 2031.

Sec. 9. K.S.A. 74-3201b is hereby amended to read as follows: 74-3201b. As used in the Kansas higher education coordination act:

(a) "Adult basic education program" and "adult supplementary education program" ~~have the meanings respectively ascribed thereto~~ mean the same as defined in K.S.A. 74-32,253, and amendments thereto.

(b) "Community college" means any community college established under the laws of this state.

(c) "Institute of technology" or "Washburn institute of technology" means the institute of technology at Washburn university.

(d) "Municipal university" means Washburn university of Topeka or any other municipal university established under the laws of this state.

(e) "Postsecondary educational institution" means any public university, municipal university, community college ~~and~~, technical college; and institute of technology. "Postsecondary educational institution" includes any entity resulting from the consolidation or affiliation of any two or more of such postsecondary educational institutions.

(f) "Private postsecondary educational institution" and "out-of-state postsecondary educational institution" ~~have the meanings ascribed thereto~~ mean the same as defined in K.S.A. 74-32,163, and amendments thereto.

(g) "Public university" means any state educational institution.

(h) "Representative of a postsecondary educational institution" means any person who is the holder of an associate degree, a bachelor's degree; or a certificate of completion awarded by a postsecondary educational institution.

(i) "State board of regents" or "state board" means the state board of regents provided for in the constitution of this state and established by K.S.A. 74-3202a, and amendments thereto, except as otherwise specifically provided in this act.

(j) "State educational institution" means any state educational institution; as defined in K.S.A. 76-711, and amendments thereto.

(k) "Technical college" means any technical college established under the laws of this state.

Sec. 10. K.S.A. 74-3201b is hereby repealed.";

Also on page 2, in line 31, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting "the state board of regents; enacting the Kansas campus restoration act; relating to deferred maintenance and demolition of facilities at postsecondary educational institutions; authorizing the board to adopt rules and regulations; establishing the Kansas campus restoration fund in the state treasury; authorizing certain transfers from the state general fund to the Kansas campus restoration fund; requiring annual reports be submitted to certain committees of the legislature; amending K.S.A. 74-3201b and repealing the existing section";

And your committee on conference recommends the adoption of this report.

TROY WAYMASTER

KYLE HOFFMAN

HENRY HELGERSON

Conferees on part of House

RICK BILLINGER

J. R. CLAEYS

PAT PETTEY

Conferees on part of Senate

Senator Billinger moved the Senate adopt the Conference Committee Report on **SB 18**.

On roll call, the vote was: Yeas 32; Nays 7; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Erickson, Gossage, Olson, Pyle, Steffen, Straub, Tyson.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 73** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 73, as follows:

On page 1, by striking all in lines 11 through 36;

By striking all on pages 2 through 17;

On page 18, by striking all in lines 1 through 16; following line 16, by inserting:

"Section 1. K.S.A. 2023 Supp. 72-5132 is hereby amended to read as follows: 72-5132. As used in the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto:

(a) "Adjusted enrollment" means the enrollment of a school district, excluding the remote enrollment determined pursuant to K.S.A. 2023 Supp. 72-5180, and amendments thereto, adjusted by adding the following weightings, if any, to the enrollment of a school district: At-risk student weighting; bilingual weighting; career technical education weighting; high-density at-risk student weighting; high enrollment weighting; low enrollment weighting; school facilities weighting; ancillary school facilities weighting; cost-of-living weighting; special education and related services weighting; and transportation weighting.

(b) "Ancillary school facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5158, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(c) (1) "At-risk student" means a student who is eligible for free meals under the national school lunch act, and who is enrolled in a school district that maintains an approved at-risk student assistance program.

(2) "At-risk student" does not include any student enrolled in any of the grades one through 12 who is in attendance less than full time, or any student who is over 19 years of age. The provisions of this paragraph shall not apply to any student who has an individualized education program.

(d) "At-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5151(a), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(e) "Base aid for student excellence" or "BASE aid" means an amount appropriated by the legislature in a fiscal year for the designated year. The amount of BASE aid shall be as follows:

(1) For school year 2018-2019, \$4,165;

(2) for school year 2019-2020, \$4,436;

(3) for school year 2020-2021, \$4,569;

(4) for school year 2021-2022, \$4,706;

(5) for school year 2022-2023, \$4,846; and

(6) for school year 2023-2024, and each school year thereafter, the BASE aid shall be the BASE aid amount for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years rounded to the nearest whole dollar amount.

(f) "Bilingual weighting" means an addend component assigned to the enrollment

of school districts pursuant to K.S.A. 72-5150, and amendments thereto, on the basis of costs attributable to the maintenance of bilingual educational programs by such school districts.

(g) "Board" means the board of education of a school district.

(h) "Budget per student" means the general fund budget of a school district divided by the enrollment of the school district.

(i) "Categorical fund" means and includes the following funds of a school district: Adult education fund; adult supplementary education fund; at-risk education fund; bilingual education fund; career and postsecondary education fund; driver training fund; educational excellence grant program fund; extraordinary school program fund; food service fund; parent education program fund; preschool-aged at-risk education fund; professional development fund; special education fund; and summer program fund.

(j) "Cost-of-living weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5159, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.

(k) "Current school year" means the school year during which state foundation aid is determined by the state board under K.S.A. 72-5134, and amendments thereto.

(l) ~~(1)~~ "Enrollment" means, except as provided in K.S.A. 2023 Supp. 72-5180, and amendments thereto, whichever is the greater of:

~~(A)~~ The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the current school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year;

~~(B)~~ the number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year, except a student who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters, or the equivalent thereof.

~~(2)~~ If the enrollment in a school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means the sum of:

~~(A)~~ the enrollment in the second preceding school year, excluding students under paragraph (2)(B), minus enrollment in the preceding school year of preschool-aged at-risk students, if any, plus enrollment in the current school year of preschool-aged at-risk students, if any; and

~~(B)~~ the adjusted enrollment in the second preceding school year of any students participating in the tax credit for low income students scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the preceding school year, if any; plus the adjusted enrollment in the preceding school year of preschool-aged at-risk students who are participating in the tax credit for low income students scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the current school year, if any;

~~(3)~~ (C) for any school district that has a military student, as that term is defined in K.S.A. 72-5139, and amendments thereto, enrolled in such district, and that received

federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

~~(A)(i)~~ The enrollment amounts determined under ~~paragraph (2) subparagraphs (A) or (B);~~ or

~~(B)(ii)~~ the sum of ~~the enrollment in the preceding school year of the number of~~ preschool-aged at-risk students regularly enrolled in the school district on September 20 of the preceding school year, if any; and the arithmetic mean of the sum of:

~~(i)(a)~~ The enrollment of the number of students regularly enrolled in kindergarten and grades one through 12 in the school district in on September 20 of the preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any;

~~(ii)(b)~~ the enrollment in the number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the second preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; and

~~(iii)(c)~~ the enrollment in the number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the third preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; or

~~(D)~~ for school year 2024-2025, the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year and the arithmetic mean of the sum of:

~~(i)~~ The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year; and

~~(ii)~~ the number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the second preceding school year.

~~(4)(2)~~ The enrollment is determined under paragraph (1), ~~(2) or (3),~~ except if the school district begins to offer kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

~~(3)~~ A foreign exchange student shall not be counted in the enrollment of a school district unless such student was regularly enrolled on September 20 and attending kindergarten or any of the grades one through 12 maintained by the district for at least one semester or two quarters, or the equivalent thereof.

~~(m)~~ "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it means the first day after February 20 on which school is maintained.

~~(n)~~ "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a school district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

(o) "General fund" means the fund of a school district from which operating expenses are paid and in which is deposited all amounts of state foundation aid provided under this act, payments under K.S.A. 72-528, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program and such other moneys as are provided by law.

(p) "General fund budget" means the amount budgeted for operating expenses in the general fund of a school district.

(q) "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5151(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(r) "High enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5149(b), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(s) "Juvenile detention facility" means the same as such term is defined in K.S.A. 72-1173, and amendments thereto.

(t) "Local foundation aid" means the sum of the following amounts:

(1) An amount equal to any unexpended and unencumbered balance remaining in the general fund of the school district, except moneys received by the school district and authorized to be expended for the purposes specified in K.S.A. 72-5168, and amendments thereto;

(2) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, prior to their repeal;

(3) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district under the provisions of K.S.A. 72-3123(a), and amendments thereto;

(4) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district pursuant to contracts made and entered into under authority of K.S.A. 72-3125, and amendments thereto;

(5) an amount equal to the amount credited to the general fund in the current school year from moneys distributed in such school year to the school district under the provisions of articles 17 and 34 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

(6) an amount equal to the amount of payments received by the school district under the provisions of K.S.A. 72-3423, and amendments thereto; and

(7) an amount equal to the amount of any grant received by the school district under the provisions of K.S.A. 72-3425, and amendments thereto.

(u) "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5149(a), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(v) "Operating expenses" means the total expenditures and lawful transfers from

the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 72-5168, and amendments thereto.

(w) "Preceding school year" means the school year immediately before the current school year.

(x) "Preschool-aged at-risk student" means an at-risk student who has attained the age of three years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines governing the selection of students for participation in head start programs.

(y) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. "Exceptional children" and "gifted children" mean the same as those terms are defined in K.S.A. 72-3404, and amendments thereto.

(z) "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 72-1173, and amendments thereto.

(aa) (1) "Remote enrollment" means the number of students regularly enrolled in kindergarten and grades one through 12 in the school district who attended school through remote learning in excess of the remote learning limitations provided in K.S.A. 2023 Supp. 72-5180, and amendments thereto.

(2) This subsection shall not apply in any school year prior to the 2021-2022 school year.

(bb) (1) "Remote learning" means a method of providing education in which the student, although regularly enrolled in a school district, does not physically attend the attendance center such student would otherwise attend in person on a full-time basis and curriculum and instruction are prepared, provided and supervised by teachers and staff of such school district to approximate the student learning experience that would take place in the attendance center classroom.

(2) "Remote learning" does not include virtual school as such term is defined in K.S.A. 72-3712, and amendments thereto.

(3) This subsection shall not apply in any school year prior to the 2021-2022 school year.

(cc) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 72-3115, and amendments thereto.

(dd) "School facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5156, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(ee) "School year" means the 12-month period ending June 30.

(ff) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it means the first day after September 20 on which school is maintained.

(gg) "Special education and related services weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5157, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

(hh) "State board" means the state board of education.

(ii) "State foundation aid" means the amount of aid distributed to a school district

as determined by the state board pursuant to K.S.A. 72-5134, and amendments thereto.

(jj) (1) "Student" means any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in accordance with an agreement entered into under authority of K.S.A. 72-13,101, and amendments thereto, or who is regularly enrolled in a school district and attending special education services provided for preschool-aged exceptional children by the school district.

(2) (A) Except as otherwise provided in this subsection, the following shall be counted as one student:

(i) A student in attendance ~~full-time~~ full time; and
 (ii) a student enrolled in a school district and attending special education and related services, provided for by the school district.

(B) The following shall be counted as $\frac{1}{2}$ student:

(i) A student enrolled in a school district and attending special education and related services for preschool-aged exceptional children provided for by the school district; and

(ii) a preschool-aged at-risk student enrolled in a school district and receiving services under an approved at-risk student assistance plan maintained by the school district.

(C) A student in attendance part-time shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the student's attendance bears to full-time attendance.

(D) A student enrolled in and attending an institution of postsecondary education that is authorized under the laws of this state to award academic degrees shall be counted as one student if the student's postsecondary education enrollment and attendance together with the student's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the total time of the student's postsecondary education attendance and attendance in grades 11 or 12, as applicable, bears to full-time attendance.

(E) A student enrolled in and attending a technical college, a career technical education program of a community college or other approved career technical education program shall be counted as one student, if the student's career technical education attendance together with the student's attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the total time of the student's career technical education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

(F) A student enrolled in a school district and attending a non-virtual school and also attending a virtual school shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the student's attendance at the non-virtual school bears to full-time attendance.

(G) A student enrolled in a school district and attending special education and related services provided for by the school district and also attending a virtual school shall be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the student's attendance at the non-virtual school bears to full-time attendance.

(H) A student enrolled in a school district and attending school on a part-time basis through remote learning and also attending school in person on a part-time basis shall

be counted as that proportion of one student, to the nearest $\frac{1}{10}$, that the student's in-person attendance bears to full-time attendance.

(I) A student enrolled in a school district who is not a resident of Kansas shall be counted as $\frac{1}{2}$ of a student.

This subparagraph shall not apply to:

(i) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or

(ii) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.

(3) The following shall not be counted as a student:

(A) An individual residing at the Flint Hills job corps center;

(B) except as provided in paragraph (2), an individual confined in and receiving educational services provided for by a school district at a juvenile detention facility; and

(C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

(4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et seq., and amendments thereto, shall be counted in accordance with the provisions of K.S.A. 72-3715, and amendments thereto.

(5) A student enrolled in a school district who attends school through remote learning shall be counted in accordance with the provisions of this section and K.S.A. 2023 Supp. 72-5180, and amendments thereto.

(kk) "Total foundation aid" means an amount equal to the product obtained by multiplying the BASE aid by the adjusted enrollment of a school district.

(ll) "Transportation weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5148, and amendments thereto, on the basis of costs attributable to the provision or furnishing of transportation.

(mm) "Virtual school" means the same as such term is defined in K.S.A. 72-3712, and amendments thereto.";

Also on page 18, in line 17, by striking all after "K.S.A."; in line 18, by striking all before "hereby" and inserting "2023 Supp. 72-5132 is";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 7; in line 8, by striking all before the period and inserting "education; relating to the Kansas school equity and enhancement act; requiring school district enrollment to be determined using the current school year or preceding school year enrollment; amending K.S.A. 2023 Supp. 72-5132 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

ADAM THOMAS

SUSAN ESTES

JERRY STOGSDILL

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **H Sub SB 73**.

On roll call, the vote was: Yeas 35; Nays 4; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Francisco, Haley, Holland, Shallenburger.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 115** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 7 through 36;

On page 2, by striking all in lines 1 through 13; following line 13, by inserting:

"New Section 1. (a) Sections 1 through 6, and amendments thereto, shall be known and may be cited as the child advocate act.

(b) As used in the child advocate act:

(1) "Child" means any individual under 18 years of age who:

(A) Is in the custody of the secretary for children and families;

(B) may be alleged to be a child in need of care as provided in K.S.A. 38-2201 et seq., and amendments thereto;

(C) is alleged to be a child in need of care as provided in K.S.A. 38-2201 et seq.; or

(D) is currently or was receiving services or treatment from the department of corrections within the previous five years; and

(2) "office" means the office of the child advocate and includes the child advocate and staff.

New Sec. 2. (a) There is hereby established the office of the child advocate, the head of which shall be the child advocate. In the performance of the powers, duties and functions prescribed by law, the office shall be an independent state agency. The child advocate shall be appointed by the governor and subject to confirmation by the senate as provided by K.S.A. 75-4315b, and amendments thereto.

(b) (1) Except as provided by K.S.A. 46-2601, and amendments thereto, no person appointed to the position of the child advocate shall exercise any power, duty or function of the child advocate until confirmed by the senate. The child advocate shall be selected without regard to political affiliation and on the basis of integrity and capacity for effectively carrying out the duties of the office. The child advocate shall be an individual with extensive experience in the practice of case management, clinical services or legal services to children and families involved in the child welfare system.

(2) No former or current executive or manager of any program or agency or contracting entity subject to oversight by the office may be appointed to the position of the child advocate within 12 months of the end of that individual's period of service

with such program or agency.

(3) A person appointed to the position of the child advocate shall serve for a term of five years or until a successor has been appointed and confirmed.

(4) The child advocate shall be in the unclassified service and shall receive an annual salary in an amount equal to the annual salary paid by the state to a district court judge.

(5) The child advocate shall exercise independent judgment in carrying out the duties of the office.

(c) (1) Subject to this subsection, the child advocate shall have general managerial control over the office of the child advocate and shall establish the organizational structure of the office as the child advocate deems appropriate to carry out the responsibilities and functions of the office.

(2) All budgeting, purchasing, personnel and related administrative functions of the office shall be administered under the direction and supervision of the child advocate.

(3) Within the limits of appropriations therefor, the child advocate may hire such employees in the unclassified service as are necessary to administer the office. Such employees shall serve at the pleasure of the child advocate. Subject to appropriations and this subsection, the child advocate may obtain the services of other professionals necessary to independently perform the functions of the office, including obtaining legal services as provided by K.S.A. 75-769, and amendments thereto.

(4) The child advocate may enter into agreements with the secretary of administration for the provision of personnel, facility management and information technology services.

New Sec. 3. (a) The purpose of the office of the child advocate is to ensure that children and families receive adequate coordination of child welfare services for child protection and care through services offered by the Kansas department for children and families or the department's contracting entities, the department for aging and disability services, the department of corrections, the department of health and environment and juvenile courts.

(b) The office shall receive and resolve complaints that allege the Kansas department for children and families or an entity contracting with the department, by act or omission, has provided inadequate protection or care of children, failed to protect the physical or mental health, safety or welfare of any child or failed to follow established laws, rules and regulations or written policies. The child advocate shall:

(1) Establish and implement procedures for receiving, processing, responding to and resolving complaints made by or on behalf of children that relate to state agencies, service providers, including contractors and subcontractors, and any juvenile court that adversely affect or may adversely affect the health, safety and welfare of such children;

(2) provide the Kansas department for children and families with a notice of availability that describes the office and procedures for contacting the office. The department shall ensure such notice is prominently posted in department offices and facilities receiving public moneys for the care and placement of children;

(3) maintain a publicly available website;

(4) publicize and notify individuals of the office's services, purpose and contact information;

(5) compile, collect and preserve a record of complaints received and processed that may reveal concerning patterns to be addressed; and

(6) make recommendations for changes to policies, procedures or adopted or proposed rules and regulations of any state or local agency that adversely affect or may adversely affect the health, safety and welfare of any child.

(c) The office shall independently investigate complaints received pursuant to subsection (b) if the office reasonably believes the complaint's allegations may be independently verified through an investigation. To investigate, the office shall:

- (1) Establish and implement procedures for investigating complaints;
- (2) have access to the following information related to complaints received:
 - (A) The names and physical location of all children in protective services, treatment or other programs under the jurisdiction of the Kansas department for children and families or the department of corrections;
 - (B) all written reports of child abuse and neglect;
 - (C) all records as provided in K.S.A. 38-2201 et seq. and 38-2301 et seq., and amendments thereto; and
 - (D) all current records required to be maintained pursuant to articles 22 and 23 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto;
- (3) communicate privately with the following persons or entities, after consultation with treatment professionals and service providers:
 - (A) Any child or child's siblings; and
 - (B) anyone working with the child, including the family, relatives, employees of the Kansas department for children and families or the department of corrections and other persons or entities providing treatment and services;
 - (4) have access to, including the right to inspect and copy, relevant child records as identified for disclosure in K.S.A. 38-2201 et seq. and 38-2301 et seq., and amendments thereto;
 - (5) work in conjunction with juvenile intake and assessment workers, juvenile community corrections officers, guardians ad litem and court-appointed special advocates;
 - (6) take statements under oath and obtain judicial enforcement of compulsory processes; and
 - (7) subpoena materials and witnesses using the following procedures:
 - (A) When the office reasonably believes that materials or witnesses sought will assist in the investigation, the child advocate may issue a subpoena directing documents, reports or information to be delivered to the office at a specific time, date and place or directing a person to appear as a witness at a specific time, date and place. Such time and date shall not be sooner than seven days after the service of the subpoena, excluding Saturdays, Sundays, legal holidays and days on which the office of the clerk of the court is not accessible. The child advocate shall keep a copy of the subpoena in a special file maintained for that purpose;
 - (B) upon receiving service of a subpoena pursuant to this paragraph, the person or agency served shall give written notice of service to any person known to have a right to assert a privilege or assert a right of confidentiality in regard to the documents, reports or information sought at least five days before the date of delivery or appearance;
 - (C) any parent, child, guardian ad litem, person or entity subpoenaed or person or entity who claims a privilege or right of confidentiality may request in writing that the child advocate quash a subpoena issued pursuant to this paragraph. The request to quash

the subpoena shall be filed with the office at least 24 hours prior to the specified time and date of delivery or appearance, excluding Saturdays, Sundays, legal holidays and days on which the office of the clerk of the court is not accessible, and a copy of the written request shall be given to the person subpoenaed at least 24 hours prior to the specified time and date of delivery or appearance; and

(D) if the child advocate does not quash the subpoena, the written request shall automatically stay the operation of the subpoena until the child advocate obtains a court order for the subpoena to be honored, and the documents, reports or information requested shall not be delivered and the witness shall not appear. An appropriate district court may issue an order for the subpoena to be honored after the court has held a hearing to determine if the documents, reports or information are subject to the claimed privilege or right of confidentiality, and whether it is in the best interests of the child for the subpoena to be honored.

(d) To resolve complaints received pursuant to subsection (b), the office shall:

(1) Establish and implement procedures to resolve the complaints;

(2) independently review the subject of the complaint and after the initial review of the complaint and any accompanying material, the child advocate may recommend that a department or contracting entity:

(A) Consider the matter further;

(B) modify or cancel the department or contracting entity's actions;

(C) alter a rule, order or internal policy;

(D) explain the action further; or

(E) within a reasonable time after receiving a recommendation, provide the office information concerning the department or contracting entity action to implement or not implement recommendations made by the office pursuant to this paragraph;

(3) submit any findings or recommendations pursuant to paragraph (2) to the secretary for children and families or the secretary of corrections as appropriate;

(4) upon reason to believe a criminal investigation is warranted, make a referral of child abuse or neglect to an appropriate law enforcement agency with jurisdiction over the matter and notify the abuse, neglect and exploitation unit of the office of the attorney general; and

(5) produce reports of findings of fact or conclusions of law regarding any complaint, and, if appropriate, the attorney general may file such reports in any pending child in need of care case on behalf of the office.

(e) To assist the legislature in oversight of the child welfare system, the office may:

(1) Meet and discuss any matter in the scope of the child advocate act with the joint committee on child welfare system oversight in regular or executive session under the same duties of confidentiality provided for the child advocate;

(2) review relevant statutes, rules and regulations, policies and procedures for the health, safety and welfare of children;

(3) evaluate the effectiveness of and recommend changes to procedures for reports of child abuse and neglect for child protective services, including, but not limited to, the involvement of the Kansas department for children and families, service providers, guardians ad litem, court appointed special advocates and law enforcement agencies; and

(4) review and recommend changes to law enforcement investigative procedures for and emergency responses to reports of abuse and neglect.

(f) (1) On or before the beginning of each regular session of the legislature, the office shall prepare and submit a report to the governor, the chief justice of the supreme court and the office of judicial administration, the secretary for children and families, the president of the senate, the speaker of the house of representatives, the joint committee on child welfare oversight, the house of representatives standing committee on child welfare and foster care, the senate standing committee on judiciary, or their successor committees, and any other relevant legislative committee.

(2) Such report shall include:

(A) The number of complaints received by the office;

(B) the disposition of such complaints;

(C) the number of children involved in such complaints;

(D) the outcome of such complaints;

(E) any recommendations for changes in statute, policies, procedures or rules and regulations;

(F) the office's proposed annual budget; and

(G) any other topics that the office deems appropriate to properly perform the powers, duties and functions provided by the child advocate act.

(g) The annual budget request of the office shall be prepared by the child advocate. The child advocate shall submit an annual budget request to the division of budget. Such budget request shall be prepared and submitted in the manner provided by K.S.A. 75-3716 and 75-3717, and amendments thereto.

(h) To assist the office in the office's duties under the child advocate act, employees of the Kansas department for children and families, the department's contracting agencies, the department of corrections, juvenile intake and assessment workers, juvenile community corrections officers, guardians ad litem and court appointed special advocates shall:

(1) Work diligently, promptly and in good faith to assist the office in performing the office's powers, duties and functions provided by the child advocate act;

(2) provide full access to and production of records and information requested by the office in the office's duties provided by the act. Such access shall not be a violation of confidentiality of such records if provided and produced in good faith for the purposes of the act;

(3) require employees and contractors of such department or agency to comply with requests from the office in such office's duties provided by the act;

(4) allow employees of such department or agency to file a complaint with or provide records or information to the office without supervisory approval;

(5) not willfully interfere with or obstruct any of the office's duties provided by the act; and

(6) promptly meet and consult with the office upon request of the office.

New Sec. 4. (a) For any information obtained from a state agency or other entity under the child advocate act, the office shall be subject to the same state and federal statutory disclosure restrictions and confidentiality requirements that are applicable to the state agency or other entity providing such information to the office.

(b) Any files maintained by the office shall be confidential and disclosed only at the discretion of the child advocate, except that the identity of any complainant or child shall not be disclosed by the office unless:

(1) The complainant or child, respectively, or the complainant's or child's legal

representative, consents in writing to such disclosure; or

(2) such disclosure is required by court order.

(c) (1) Any person who, without malice, participates in any complaint or information made or provided in good faith to the office shall have immunity from any civil liability that might otherwise be incurred or imposed. This paragraph shall not be construed to protect from suit or liability when caused by the intentional or willful or wanton misconduct of a person.

(2) The child advocate, the office and any employee of the office shall be immune from civil liability, either personally or in their official capacity, including, but not limited to, claims of damage to or loss of property or personal injury that are caused by or arising out of the performance of duties of the office. This paragraph shall not be construed to protect from suit or liability when caused by the intentional or willful or wanton misconduct of a person.

(3) Any statement or communication made by the child advocate, the office or any employee of the office relevant to a complaint being investigated by the office, whether oral or written, shall be privileged and shall not be disclosed to any person or entity, be admissible in any civil action, administrative proceeding or disciplinary board of this state, be subject to discovery, subpoena or other means of legal compulsion for their release to any person or entity or be admissible in evidence in any judicial or administrative proceeding, unless the child advocate is already a party to such proceedings.

(d) A representative of the office conducting or participating in any investigation of a complaint shall not knowingly disclose to any person other than the office, or a person authorized by the office, the name of any witness examined or any information obtained or given during such investigation. Violation of this subsection is a class A nonperson misdemeanor.

(e) When the office is conducting or has conducted an investigation of a complaint, the office shall disclose the final result of the investigation with the consent of the child or child's legal representative.

(f) The office shall not be required to testify in any court with respect to matters held to be confidential in this section, except as the court may deem necessary to enforce the provisions of the child advocate act or when otherwise required by court order.

(g) The provisions of this section providing for confidentiality of records shall expire on July 1, 2029, unless the legislature acts to continue such provisions. The legislature shall review this section pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2029.

New Sec. 5. (a) (1) Except as provided by paragraph (2), no retaliatory action shall knowingly be taken against any child or employee of the Kansas department for children and families, an employee of the department's contracting agencies or the department of corrections for any communication made or information given to the office. Violation of this paragraph is a class A nonperson misdemeanor.

(2) Paragraph (1) shall not apply to an employee who discloses:

(A) Information that such employee knows to be false or information without regard for the truth or falsity of the information; or

(B) without lawful authority, information that is confidential as provided by any other provision of law.

(b) An employee of the office of the child advocate shall not knowingly disclose false information or disclose confidential information without lawful authority.

(c) As used in this section, "retaliatory action" includes, but is not limited to:

- (1) Letters of reprimand or unsatisfactory performance evaluations;
- (2) transfer;
- (3) demotion;
- (4) reduction in pay;
- (5) denial of promotion;
- (6) suspension;
- (7) dismissal; and
- (8) denial of employment.

New Sec. 6. Nothing in this act shall be construed to permit any governmental agency to exercise control or supervision over the child advocate or the office of the child advocate.

Sec. 7. K.S.A. 2023 Supp. 38-2211 is hereby amended to read as follows: 38-2211. (a) *Access to the official file*. The following persons or entities shall have access to the official file of a child in need of care proceeding pursuant to this code:

(1) The court having jurisdiction over the proceedings, including the presiding judge and any court personnel designated by the judge.

(2) The parties to the proceedings and their attorneys.

(3) The guardian ad litem for a child who is the subject of the proceeding.

(4) A court appointed special advocate for a child who is the subject of the proceeding or a paid staff member of a court appointed special advocate program.

(5) Any individual, or any public or private agency or institution, having custody of the child under court order or providing educational, medical or mental health services to the child or any placement provider or potential placement provider as determined by the secretary or court services officer.

(6) A citizen review board.

(7) The secretary of corrections or any agents designated by the secretary of corrections.

(8) Any county or district attorney from another jurisdiction with a pending child in need of care matter regarding any of the same parties.

(9) The office of the child advocate pursuant to the child advocate act.

(10) Any other person when authorized by a court order, subject to any conditions imposed by the order.

~~(10) The commission on judicial performance in the discharge of the commission's duties pursuant to article 32 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto.~~

(11) An investigating law enforcement agency.

(b) *Access to the social file*. The following persons or entities shall have access to the social file of a child in need of care proceeding pursuant to this code:

(1) The court having jurisdiction over the proceeding, including the presiding judge and any court personnel designated by the judge.

(2) The attorney for a party to the proceeding or the person or persons designated by an Indian tribe that is a party.

(3) The guardian ad litem for a child who is the subject of the proceeding.

(4) A court appointed special advocate for a child who is the subject of the

proceeding or a paid staff member of a court appointed special advocate program.

(5) A citizen review board.

(6) The secretary.

(7) The secretary of corrections or any agents designated by the secretary of corrections.

(8) Any county or district attorney from another jurisdiction with a pending child in need of care matter regarding any of the same parties or interested parties.

(9) The office of the child advocate pursuant to the child advocate act.

(10) Any other person when authorized by a court order, subject to any conditions imposed by the order.

~~(10)~~(11) An investigating law enforcement agency.

(c) *Preservation of records.* The Kansas state historical society shall be allowed to take possession for preservation in the state archives of any court records related to proceedings under the Kansas code for care of children whenever such records otherwise would be destroyed. No such records in the custody of the Kansas state historical society shall be disclosed directly or indirectly to anyone for 70 years after creation of the records, except as provided in subsections (a) and (b). Pursuant to subsections ~~(a)(9) and (b)(9)~~ (a)(10) and (b)(10), a judge of the district court may allow inspection for research purposes of any court records in the custody of the Kansas state historical society related to proceedings under the Kansas code for care of children.

Sec. 8. K.S.A. 2023 Supp. 38-2212 is hereby amended to read as follows: 38-2212.

(a) *Principle of appropriate access.* Information contained in confidential agency records concerning a child alleged or adjudicated to be in need of care may be disclosed as provided in this section and shall be disclosed as provided in subsection (e). Disclosure shall in all cases be guided by the principle of providing access only to persons or entities with a need for information that is directly related to achieving the purposes of this code.

(b) *Free exchange of information.* Pursuant to K.S.A. 38-2210, and amendments thereto, the secretary and juvenile intake and assessment agencies shall participate in the free exchange of information concerning a child who is alleged or adjudicated to be in need of care.

(c) *Necessary access.* The following persons or entities shall have access to information from agency records. Access shall be limited to information reasonably necessary to carry out their lawful responsibilities, to maintain their personal safety and the personal safety of individuals in their care, or to educate, diagnose, treat, care for or protect a child alleged to be in need of care. Information authorized to be disclosed pursuant to this subsection shall not contain information that identifies a reporter of a child who is alleged or adjudicated to be a child in need of care.

(1) A child named in the report or records, a guardian ad litem appointed for the child and the child's attorney.

(2) A parent or other person responsible for the welfare of a child, or such person's legal representative.

(3) A court-appointed special advocate for a child, a citizen review board or other advocate that reports to the court.

(4) A person licensed to practice the healing arts or mental health profession in order to diagnose, care for, treat or supervise:

(A) A child whom such service provider reasonably suspects may be in need of

care;

- (B) a member of the child's family; or
- (C) a person who allegedly abused or neglected the child.

(5) A person or entity licensed or registered by the secretary of health and environment or approved by the secretary for children and families to care for, treat or supervise a child in need of care.

(6) A coroner or medical examiner when such person is determining the cause of death of a child.

(7) The state child death review board established under K.S.A. 22a-243, and amendments thereto.

(8) An attorney for a private party who files a petition pursuant to K.S.A. 38-2233(b), and amendments thereto.

(9) A foster parent, prospective foster parent, permanent custodian, prospective permanent custodian, adoptive parent or prospective adoptive parent. In order to assist such persons in making an informed decision regarding acceptance of a particular child, to help the family anticipate problems that may occur during the child's placement, and to help the family meet the needs of the child in a constructive manner, the secretary shall seek and shall provide the following information to such persons as the information becomes available to the secretary:

- (A) Strengths, needs and general behavior of the child;
- (B) circumstances that necessitated placement;
- (C) information about the child's family and the child's relationship to the family that may affect the placement;
- (D) important life experiences and relationships that may affect the child's feelings, behavior, attitudes or adjustment;
- (E) medical history of the child, including third-party coverage that may be available to the child; and
- (F) education history, to include present grade placement, special strengths and weaknesses.

(10) The state protection and advocacy agency as provided by K.S.A. 65-5603(a) (10) or ~~K.S.A. 74-5515(a)(2)(A) and (B)~~, and amendments thereto.

(11) Any educational institution to the extent necessary to enable the educational institution to provide the safest possible environment for its pupils and employees.

(12) Any educator to the extent necessary to enable the educator to protect the personal safety of the educator and the educator's pupils.

(13) The office of the child advocate pursuant to the child advocate act.

(14) Any other federal, state or local government executive branch entity or any agent of such entity, having a need for such information in order to carry out such entity's responsibilities under the law to protect children from abuse and neglect.

(d) *Specified access.* The following persons or entities shall have access to information contained in agency records as specified. Information authorized to be disclosed pursuant to this subsection shall not contain information that identifies a reporter of a child who is alleged or adjudicated to be a child in need of care.

(1) Information from confidential agency records of the Kansas department for children and families, a law enforcement agency or any juvenile intake and assessment worker of a child alleged or adjudicated to be in need of care shall be available to members of the standing house or senate committee on judiciary, house committee on

corrections and juvenile justice, house committee on child welfare and foster care, house committee on appropriations, senate committee on ways and means, legislative post audit committee and any joint committee with authority to consider children's and families' issues, when carrying out such member's or committee's official functions in accordance with K.S.A. 75-4319, and amendments thereto, in a closed or executive meeting. Except in limited conditions established by $\frac{2}{3}$ of the members of such committee, records and reports received by the committee shall not be further disclosed. Unauthorized disclosure may subject such member to discipline or censure from the house of representatives or senate. The secretary for children and families shall not summarize the outcome of department actions regarding a child alleged to be a child in need of care in information available to members of such committees.

(2) The secretary for children and families may summarize the outcome of department actions regarding a child alleged to be a child in need of care to a person having made such report.

(3) Information from confidential reports or records of a child alleged or adjudicated to be a child in need of care may be disclosed to the public when:

(A) The individuals involved or their representatives have given express written consent; or

(B) the investigation of the abuse or neglect of the child or the filing of a petition alleging a child to be in need of care has become public knowledge, provided, however, that the agency shall limit disclosure to confirmation of procedural details relating to the handling of the case by professionals.

(e) *Law enforcement access.* The secretary shall disclose confidential agency records of a child alleged or adjudicated to be a child in need of care, as described in K.S.A. 38-2209, and amendments thereto, to the law enforcement agency investigating the alleged or substantiated report or investigation of abuse or neglect, regardless of the disposition of such report or investigation. Such records shall include, but not be limited to, any information regarding such report or investigation, records of past reports or investigations concerning such child and such child's siblings and the perpetrator or alleged perpetrator and the name and contact information of the reporter or persons alleging abuse or neglect and case managers, investigators or ~~contracting~~ agency entity employees assigned to or investigating such report. Such records shall only be used for the purposes of investigating the alleged or substantiated report or investigation of abuse or neglect.

(f) *Court order.* Notwithstanding the provisions of this section, a court of competent jurisdiction, after in camera inspection, may order disclosure of confidential agency records pursuant to a determination that the disclosure is in the best interests of the child who is the subject of the reports or that the records are necessary for the proceedings of the court. The court shall specify the terms of disclosure and impose appropriate limitations.

(g) (1) Notwithstanding any other provision of law to the contrary, except as provided in paragraph (6), in the event that child abuse or neglect results in a child fatality or near fatality, reports or records of a child alleged or adjudicated to be in need of care received by the secretary, a law enforcement agency or any juvenile intake and assessment worker shall become a public record and subject to disclosure pursuant to K.S.A. 45-215, and amendments thereto.

(2) Within seven days of receipt of a request in accordance with the procedures

adopted under K.S.A. 45-220, and amendments thereto, the secretary shall notify any affected individual that an open records request has been made concerning such records. The secretary or any affected individual may file a motion requesting the court to prevent disclosure of such record or report, or any select portion thereof. Notice of the filing of such motion shall be provided to all parties requesting the records or reports, and such party or parties shall have a right to hearing, upon request, prior to the entry of any order on such motion. If the affected individual does not file such motion within seven days of notification, and the secretary has not filed a motion, the secretary shall release the reports or records. If such motion is filed, the court shall consider the effect such disclosure may have upon an ongoing criminal investigation, a pending prosecution, or the privacy of the child, if living, or the child's siblings, parents or guardians, and the public's interest in the disclosure of such records or reports. The court shall make written findings on the record justifying the closing of the records and shall provide a copy of the journal entry to the affected parties and the individual requesting disclosure pursuant to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto.

(3) Notwithstanding the provisions of paragraph (2), in the event that child abuse or neglect results in a child fatality, the secretary shall release the following information in response to an open records request made pursuant to the Kansas open records act, within seven business days of receipt of such request, as allowed by applicable law:

- (A) Age and sex of the child;
- (B) date of the fatality;
- (C) a summary of any previous reports of abuse or neglect received by the secretary involving the child, along with the findings of such reports; and
- (D) any department recommended services provided to the child.

(4) Notwithstanding the provisions of paragraph (2), in the event that a child fatality occurs while such child was in the custody of the secretary for children and families, the secretary shall release the following information in response to an open records request made pursuant to the Kansas open records act, within seven business days of receipt of such request, as allowed by applicable law:

- (A) Age and sex of the child;
- (B) date of the fatality; and
- (C) a summary of the facts surrounding the death of the child.

(5) For reports or records requested pursuant to this subsection, the time limitations specified in this subsection shall control to the extent of any inconsistency between this subsection and K.S.A. 45-218, and amendments thereto. As used in this section, "near fatality" means an act that, as certified by a person licensed to practice medicine and surgery, places the child in serious or critical condition.

(6) Nothing in this subsection shall allow the disclosure of reports, records or documents concerning the child and such child's biological parents that were created prior to such child's adoption. Nothing herein is intended to require that an otherwise privileged communication lose its privileged character.

Sec. 9. K.S.A. 38-2213 is hereby amended to read as follows: 38-2213. (a) *Principle of limited disclosure.* Information contained in confidential law enforcement records concerning a child alleged or adjudicated to be in need of care may be disclosed as provided in this section. Disclosure shall in all cases be guided by the principle of providing access only to persons or entities with a need for information that is directly

related to achieving the purposes of this code.

(b) *Free exchange of information.* Pursuant to K.S.A. 38-2210, and amendments thereto, a law enforcement agency shall participate in the free exchange of information concerning a child who is alleged or adjudicated to be in need of care.

(c) *Access to information in law enforcement records.* In order to discharge their official duties, the following persons or entities shall have access to confidential law enforcement records concerning a child alleged or adjudicated to be in need of care.

(1) The court having jurisdiction over the proceedings, including the presiding judge and any court personnel designated by the judge.

(2) The secretary.

(3) ~~The commissioner of juvenile justice~~ secretary of corrections.

(4) Law enforcement officers or county or district attorneys or their staff.

(5) Any juvenile intake and assessment worker.

(6) Members of a court-appointed multidisciplinary team.

(7) The office of the child advocate pursuant to the child advocate act.

(8) Any other federal, state or local government executive branch entity, or any agent of such entity, having a need for such information in order to carry out such entity's responsibilities under law to protect children from abuse and neglect.

~~(8)(9)~~ (9) Persons or entities allowed access pursuant to ~~subsection (f)~~ of K.S.A. 38-2212(f), and amendments thereto.

(d) *Necessary access.* The following persons or entities shall have access to information from law enforcement records when reasonably necessary to carry out their lawful responsibilities, to maintain their personal safety and the personal safety of individuals in their care, or to educate, diagnose, treat, care for or protect a child alleged or adjudicated to be in need of care. Information authorized to be disclosed in this subsection shall not contain information ~~which~~ that identifies a reporter of a child alleged or adjudicated to be a child in need of care.

(1) Any individual, or public or private agency authorized by a properly constituted authority to diagnose, care for, treat or supervise a child who is the subject of a report or record of child abuse or neglect, including physicians, psychiatrists, nurses, nurse practitioners, psychologists, licensed social workers, child development specialists, physician assistants, community mental health workers, alcohol and drug abuse counselors, and licensed or registered child care providers.

(2) School administrators shall have access to but shall not copy law enforcement records and may disclose information to teachers, paraprofessionals and other school personnel as necessary to meet the educational needs of the child or to protect the safety of students and school employees.

(3) The department of health and environment or persons authorized by the department of health and environment pursuant to K.S.A. 65-512, and amendments thereto, for the purposes of carrying out responsibilities relating to licensure or registration of child care providers as required by article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(e) *Legislative access.* Information from law enforcement records of a child alleged or adjudicated to be in need of care shall be available to members of the standing house or senate committee on judiciary, house committee on corrections and juvenile justice, house committee on appropriations, senate committee on ways and means, legislative post audit committee and any joint committee with authority to consider children's and

families' issues, when carrying out such member's or committee's official functions in accordance with K.S.A. 75-4319, and amendments thereto, in a closed or executive meeting. Except in limited conditions established by $\frac{2}{3}$ of the members of such committee, records and reports received by the committee shall not be further disclosed. Unauthorized disclosure may subject such member to discipline or censure from the house of representatives or senate.

(f) *Court order.* Notwithstanding the provisions of this section, a court of competent jurisdiction, after in camera inspection, may order disclosure of confidential law enforcement records pursuant to a determination that the disclosure is in the best interests of the child who is the subject of the reports or that the records are necessary for the proceedings of the court and otherwise admissible as evidence. The court shall specify the terms of disclosure and impose appropriate limitations.

Sec. 10. K.S.A. 38-2309 is hereby amended to read as follows: 38-2309. (a) *Official file.* The official file of proceedings pursuant to this code shall consist of the complaint, process, service of process, orders, writs and journal entries reflecting hearings held, judgments and decrees entered by the court. The official file shall be kept separate from other records of the court.

(b) The official file shall be open for public inspection, unless the judge determines that opening the official file for public inspection is not in the best interests of a juvenile who is less than 14 years of age. Information identifying victims and alleged victims of sex offenses, as defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A.-2022-Supp. 21-6419 through 21-6422, and amendments thereto, or human trafficking or aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A.-2022-Supp. 21-5426, and amendments thereto, shall not be disclosed or open to public inspection under any circumstances. Nothing in this section shall prohibit the victim or alleged victim of any sex offense from voluntarily disclosing such victim's identity. An official file closed pursuant to this section and information identifying the victim or alleged victim of any sex offense shall be disclosed only to the following:

(1) A judge of the district court and members of the staff of the court designated by the judge;

(2) parties to the proceedings and their attorneys;

(3) any individual or any public or private agency or institution: (A) Having custody of the juvenile under court order; or (B) providing educational, medical or mental health services to the juvenile;

(4) the juvenile's court appointed special advocate;

(5) any placement provider or potential placement provider as determined by the commissioner or court services officer;

(6) law enforcement officers or county or district attorneys, or their staff, when necessary for the discharge of their official duties;

(7) the Kansas racing and gaming commission, upon written request of the commission chairperson, for the purpose provided by K.S.A. 74-8804, and amendments thereto, except that information identifying the victim or alleged victim of any sex offense shall not be disclosed pursuant to this subsection;

(8) juvenile intake and assessment workers;

(9) ~~the commissioner~~ secretary of corrections;

(10) the office of the child advocate pursuant to the child advocate act; and
 (11) any other person when authorized by a court order, subject to any conditions imposed by the order; and

~~(11) the commission on judicial performance in the discharge of the commission's duties pursuant to article 32 of chapter 20 of the Kansas Statutes Annotated, and amendments thereto.~~

(c) *Social file.* (1) Reports and information received by the court, other than the official file, shall be privileged and open to inspection only by the following:

(A) Attorneys for the parties;

(B) juvenile intake and assessment workers;

(C) ~~court appointed~~court-appointed special advocates;

(D) juvenile community corrections officers;

(E) the juvenile's guardian ad litem, if any;

(F) the office of the child advocate pursuant to the child advocate act; or upon

(G) any other person when authorized by the order of a judge of the district court or appellate court.

(2) The reports shall not be further disclosed without approval of the court or by being presented as admissible evidence.

(d) *Preservation of records.* The Kansas state historical society shall be allowed to take possession for preservation in the state archives of any court records related to proceedings under the Kansas juvenile justice code or the revised Kansas juvenile justice code whenever such records otherwise would be destroyed. The Kansas state historical society shall make available for public inspection any unexpunged docket entry or official file in its custody concerning any juvenile 14 or more years of age at the time an offense is alleged to have been committed by the juvenile. No other such records in the custody of the Kansas state historical society shall be disclosed directly or indirectly to anyone for 70 years after creation of the records, except as provided in subsections (b) and (c). A judge of the district court may allow inspection for research purposes of any court records in the custody of the Kansas state historical society related to proceedings under the Kansas juvenile justice code or the revised Kansas juvenile justice code.

(e) Relevant information, reports and records, shall be made available to the department of corrections upon request, and a showing that the former juvenile has been convicted of a crime and placed in the custody of the secretary of corrections.

Sec. 11. K.S.A. 38-2310 is hereby amended to read as follows: 38-2310. (a) All records of law enforcement officers and agencies and municipal courts concerning an offense committed or alleged to have been committed by a juvenile under 14 years of age shall be kept readily distinguishable from criminal and other records and shall not be disclosed to anyone except:

(1) The judge of the district court and members of the staff of the court designated by the judge;

(2) parties to the proceedings and their attorneys;

(3) the Kansas department for children and families;

(4) the juvenile's court appointed special advocate, any officer of a public or private agency or institution or any individual having custody of a juvenile under court order or providing educational, medical or mental health services to a juvenile;

(5) any educational institution, to the extent necessary to enable the educational

institution to provide the safest possible environment for its pupils and employees;

(6) any educator, to the extent necessary to enable the educator to protect the personal safety of the educator and the educator's pupils;

(7) law enforcement officers or county or district attorneys, or their staff, when necessary for the discharge of their official duties;

(8) the central repository, as defined by K.S.A. 22-4701, and amendments thereto, for use only as a part of the juvenile offender information system established under K.S.A. 38-2326, and amendments thereto;

(9) juvenile intake and assessment workers;

(10) the department of corrections;

(11) juvenile community corrections officers;

(12) the interstate compact for juveniles compact administrator for the purpose of carrying out the responsibilities related to the interstate compact for juveniles;

(13) the office of the child advocate pursuant to the child advocate act;

(14) any other person when authorized by a court order, subject to any conditions imposed by the order; and

~~(14)~~(15) as provided in subsection (c).

(b) The provisions of this section shall not apply to records concerning:

(1) A violation, by a person 14 or more years of age, of any provision of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, or of any city ordinance or county resolution which relates to the regulation of traffic on the roads, highways or streets or the operation of self-propelled or nonself-propelled vehicles of any kind;

(2) a violation, by a person 16 or more years of age, of any provision of chapter 32 of the Kansas Statutes Annotated, and amendments thereto; or

(3) an offense for which the juvenile is prosecuted as an adult.

(c) All records of law enforcement officers and agencies and municipal courts concerning an offense committed or alleged to have been committed by a juvenile 14 or more years of age shall be subject to the same disclosure restrictions as the records of adults. Information identifying victims and alleged victims of sex offenses, as defined in article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. ~~2022-Supp.~~ 21-6419 through 21-6422, and amendments thereto, or human trafficking or aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. ~~2022-Supp.~~ 21-5426, and amendments thereto, shall not be disclosed or open to public inspection under any circumstances. Nothing in this section shall prohibit the victim or any alleged victim of any sex offense from voluntarily disclosing such victim's identity.

(d) Relevant information, reports and records, shall be made available to the department of corrections upon request and a showing that the former juvenile has been convicted of a crime and placed in the custody of the secretary of corrections.

(e) All records, reports and information obtained as a part of the juvenile intake and assessment process for juveniles shall be confidential, and shall not be disclosed except as provided by statutory law and rules and regulations promulgated by the secretary.

(1) Any court of record may order the disclosure of such records, reports and other information to any person or entity.

(2) The head of any juvenile intake and assessment program, certified by the secretary, may authorize disclosure of such records, reports and other information to:

(A) A person licensed to practice the healing arts who has before that person a juvenile whom the person reasonably suspects may be abused or neglected;

(B) a court-appointed special advocate for a juvenile or an agency having the legal responsibility or authorization to care for, treat or supervise a juvenile;

(C) a parent or other person responsible for the welfare of a juvenile, or such person's legal representative, with protection for the identity of persons reporting and other appropriate persons;

(D) the juvenile, the attorney and a guardian ad litem, if any, for such juvenile;

(E) the police or other law enforcement agency;

(F) an agency charged with the responsibility of preventing or treating physical, mental or emotional abuse or neglect or sexual abuse of children, if the agency requesting the information has standards of confidentiality as strict or stricter than the requirements of the Kansas code for care of children or the revised Kansas juvenile justice code, whichever is applicable;

(G) members of a multidisciplinary team under this code;

(H) an agency authorized by a properly constituted authority to diagnose, care for, treat or supervise a child who is the subject of a report or record of child abuse or neglect;

(I) any individual, or public or private agency authorized by a properly constituted authority to diagnose, care for, treat or supervise a juvenile who is the subject of a report or record of child abuse or neglect, specifically including the following: Physicians, psychiatrists, nurses, nurse practitioners, psychologists, licensed social workers, child development specialists, physician assistants, community mental health workers, addiction counselors and licensed or registered child care providers;

(J) a citizen review board pursuant to K.S.A. 38-2207, and amendments thereto;

(K) an educational institution to the extent necessary to enable such institution to provide the safest possible environment for pupils and employees of the institution;

(L) any educator to the extent necessary for the protection of the educator and pupils;

(M) any juvenile intake and assessment worker of another certified juvenile intake and assessment program; ~~and~~

(N) the interstate compact for juveniles compact administrator for the purpose of carrying out the responsibilities related to the interstate compact for juveniles; and

(O) the office of the child advocate pursuant to the child advocate act.

Sec. 12. K.S.A. 38-2213, 38-2309 and 38-2310 and K.S.A. 2023 Supp. 38-2211 and 38-2212 are hereby repealed.";

Also on page 2, in line 15, by striking "Kansas register" and inserting "statute book";
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "children and minors; establishing the office of the child advocate as an independent state agency and prescribing certain powers, duties and functions thereof; authorizing access to certain records related to children and minors by the office of the child advocate; amending K.S.A. 38-2213, 38-2309 and 38-2310 and K.S.A. 2023 Supp. 38-2211 and 38-2212 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

SUSAN CONCANNON

TIMOTHY JOHNSON

JARROD OUSLEY

Conferees on part of House

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 115**.

On roll call, the vote was: Yeas 36; Nays 3; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson, Steffen, Straub.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 356** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, following line 9, by inserting:

"New Section 1. (a) Each utilization review entity, certified pursuant to K.S.A. 40-22a04, and amendments thereto, shall implement and maintain a prior authorization application programming interface, pursuant to 45 C.F.R. 156.223 (b), as in effect on January 1, 2028.

(b) Nothing in this section shall be construed to apply to a prior authorization request for coverage of drugs.

(c) As used in this section, "drug" means the same as defined in 45 C.F.R. 156.221 (b)(1)(v), as in effect on January 1, 2028.

(d) This section shall be a part of and supplemental to the utilization review organization act.

(e) This section shall be effective on January 1, 2028.

New Sec. 2. (a) The plan sponsor of a health benefit plan may, on behalf of health benefit plan covered persons, provide the consent to the delivery of all communications related to the plan by electronic means, otherwise required by K.S.A. 40-5804, and amendments thereto, and to the electronic delivery of any health insurance identification cards.

(b) Before providing consent on behalf of a health benefit plan covered person, pursuant to subsection (a), a plan sponsor shall confirm that such health benefit plan covered person routinely, at least once every 24 hours during the work week, uses

electronic communications during the normal course of employment of such health benefit plan covered person.

(c) Before utilizing electronic means to deliver any plan communications or health insurance identification cards, the health benefit plan shall:

(1) Provide the health benefit plan covered person with an opportunity to opt out of electronic delivery and select United States mail as the preferred method of delivery for such health benefit plan covered person; and

(2) document that all applicable requirements under K.S.A. 40-5804, and amendments thereto, have been satisfied.

Sec. 3. K.S.A. 12-2620 is hereby amended to read as follows: 12-2620. (a) All certificates granted hereunder shall be perpetual unless sooner suspended or revoked by the commissioner or the attorney general.

(b) Whenever the commissioner shall deem it necessary the commissioner may make, or direct to be made, an examination of the affairs and the financial condition of any pool. Each pool shall submit a certified independent audited financial statement ~~no~~ not later than 180 days after the end of the fiscal year. The financial statement shall include outstanding reserves for claims and for claims incurred but not reported. Each pool shall file reports as to income, expenses and loss data at such times and in such manner as the commissioner shall require. Any pool ~~which~~ that does not use rates developed by an approved rating organization shall file with the commissioner an actuarial certification that such rates are actuarially sound. Whenever it appears to the commissioner from such examination or other satisfactory evidence that the ability to pay current and future claims of any such pool is impaired, or that it is doing business in violation of any of the laws of this state, or that its affairs are in an unsound condition so as to endanger its ability to pay or cause to be paid claims in the amount, manner and time due, the commissioner shall, before filing such report or making the same public, grant such pool upon reasonable notice a hearing, and, if on such hearing the report be confirmed, the commissioner may require any of the actions allowed under K.S.A. 40-222b, and amendments thereto, or suspend the certificate of authority for such pool until its ability to pay current and future claims shall have been fully restored and the laws of the state fully complied with. The commissioner may, if there is an unreasonable delay in restoring the ability to pay claims of such pool and in complying with the law or if rehabilitation or corrective action taken under K.S.A. 40-222b, and amendments thereto, is unsuccessful, revoke the certificate of authority of such pool to do business in this state. Upon revoking any such certificate the commissioner shall communicate the fact to the attorney general, whose duty it shall be to commence and prosecute an action in the proper court to dissolve such pool or to enjoin the same from doing or transacting business in this state. The commissioner of insurance may call a hearing under K.S.A. 40-222b, and amendments thereto, and the provisions thereof shall apply to group-funded pools.

(c) On an annual basis, or within 30 days of any change thereto, each pool shall supply to the commissioner the name and qualifications of the designated administrator of the pools and the terms of the specific and aggregate excess insurance contracts of the pool.";

On page 3, following line 27, by inserting:

"Sec. 5. K.S.A. 2023 Supp. 40-2c01 is hereby amended to read as follows: 40-2c01. As used in this act:

(a) "Adjusted RBC report" means an RBC report that has been adjusted by the commissioner in accordance with K.S.A. 40-2c04, and amendments thereto.

(b) "Corrective order" means an order issued by the commissioner specifying corrective actions that the commissioner has determined are required to address an RBC level event.

(c) "Domestic insurer" means any insurance company or risk retention group that is licensed and organized in this state.

(d) "Foreign insurer" means any insurance company or risk retention group not domiciled in this state that is licensed or registered to do business in this state pursuant to article 41 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or K.S.A. 40-209, and amendments thereto.

(e) "NAIC" means the national association of insurance commissioners.

(f) "Life and health insurer" means any insurance company licensed under article 4 or 5 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or a licensed property and casualty insurer writing only accident and health insurance.

(g) "Property and casualty insurer" means any insurance company licensed under articles 9, 10, 11, 12, 12a, 15 or 16 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, but does not include monoline mortgage guaranty insurers, financial guaranty insurers and title insurers.

(h) "Negative trend" means, with respect to a life and health insurer, a negative trend over a period of time, as determined in accordance with the "trend test calculation" included in the RBC instructions defined in subsection (j).

(i) "RBC" means risk-based capital.

(j) "RBC instructions" means the risk-based capital instructions promulgated by the NAIC that are in effect on December 31, ~~2022~~ 2023, or any later version promulgated by the NAIC as may be adopted by the commissioner under K.S.A. 40-2c29, and amendments thereto.

(k) "RBC level" means an insurer's company action level RBC, regulatory action level RBC, authorized control level RBC or mandatory control level RBC where:

(1) "Company action level RBC" means, with respect to any insurer, the product of 2.0 and its authorized control level RBC;

(2) "regulatory action level RBC" means the product of 1.5 and its authorized control level RBC;

(3) "authorized control level RBC" means the number determined under the risk-based capital formula in accordance with the RBC instructions; and

(4) "mandatory control level RBC" means the product of 0.70 and the authorized control level RBC.

(l) "RBC plan" means a comprehensive financial plan containing the elements specified in K.S.A. 40-2c06, and amendments thereto. If the commissioner rejects the RBC plan, and it is revised by the insurer, with or without the commissioner's recommendation, the plan shall be called the "revised RBC plan."

(m) "RBC report" means the report required by K.S.A. 40-2c02, and amendments thereto.

(n) "Total adjusted capital" means the sum of:

(1) An insurer's capital and surplus or surplus only if a mutual insurer; and

(2) such other items, if any, as the RBC instructions may provide.

(o) "Commissioner" means the commissioner of insurance.

Sec. 6. K.S.A. 40-1137 is hereby amended to read as follows: 40-1137. A title insurance agent may operate as an escrow, settlement or closing agent, provided that:

(a) All funds deposited with the title insurance agent in connection with an escrow, settlement or closing shall be submitted for collection to, invested in or deposited in a separate fiduciary trust account or accounts in a qualified financial institution no later than the close of the next business day, in accordance with the following requirements:

(1) The funds shall be the property of the person or persons entitled to them under the provisions of the escrow, settlement or closing agreement and shall be segregated for each depository by escrow, settlement or closing in the records of the title insurance agent in a manner that permits the funds to be identified on an individual basis;

(2) the funds shall be applied only in accordance with the terms of the individual instructions or agreements under which the funds were accepted; and

(3) an agent shall not retain any interest on any money held in an interest-bearing account without the written consent of all parties to the transaction.

(b) Funds held in an escrow account shall be disbursed only:

(1) Pursuant to written authorization of buyer and seller;

(2) pursuant to a court order; or

(3) when a transaction is closed according to the agreement of the parties.

(c) A title insurance agent shall not commingle the agent's personal funds or other moneys with escrow funds. In addition, the agent shall not use escrow funds to pay or to indemnify against the debts of the agent or of any other party. The escrow funds shall be used only to fulfill the terms of the individual escrow and none of the funds shall be utilized until the necessary conditions of the escrow have been met. All funds deposited for real estate closings, including closings involving refinances of existing mortgage loans, which exceed \$2,500 shall be in one of the following forms:

(1) Lawful money of the United States;

(2) wire transfers such that the funds are unconditionally received by the title insurance agent or the agent's depository;

(3) cashier's checks, certified checks, teller's checks or bank money orders issued by a federally insured financial institution and unconditionally held by the title insurance agent;

(4) funds received from governmental entities, federally chartered instrumentalities of the United States or drawn on an escrow account of a real estate broker licensed in the state or drawn on an escrow account of a title insurer or title insurance agent licensed to do business in the state; ~~or~~

(5) other negotiable instruments ~~which that~~ have been on deposit in the escrow account at least 10 days; or

(6) a real-time or instant payment through the FedNow service operated by the federal reserve banks or the clearing house payment company's real-time payments (RTP) system.

(d) Each title insurance agent shall have an annual audit made of its escrow, settlement and closing deposit accounts, conducted by a certified public accountant or by a title insurer for which the title insurance agent has a licensing agreement. The title insurance agent shall provide a copy of the audit report to the commissioner within 30 days after the close of the calendar year for which an audit is required. Title insurance agents who are attorneys and who issue title insurance policies as part of their legal representation of clients are exempt from the requirements of this subsection. However,

the title insurer, at its expense, may conduct or cause to be conducted an annual audit of the escrow, settlement and closing accounts of the attorney. Attorneys who are exclusively in the business of title insurance are not exempt from the requirements of this subsection.

(e) The commissioner may promulgate rules and regulations setting forth the standards of the audit and the form of audit report required.

(f) If the title insurance agent is appointed by two or more title insurers and maintains fiduciary trust accounts in connection with providing escrow and closing settlement services, the title insurance agent shall allow each title insurer reasonable access to the accounts and any or all of the supporting account information in order to ascertain the safety and security of the funds held by the title insurance agent.

(g) Nothing in this section is intended to amend, alter or supersede other laws of this state or the United States, regarding an escrow holder's duties and obligations.

Sec. 7. K.S.A. 40-5801 is hereby amended to read as follows: 40-5801. The provisions of K.S.A. 40-5801 through 40-5804, and amendments thereto, and section 2, and amendments thereto, shall be known and may be cited as the electronic notice and document act.

Sec. 8. K.S.A. 40-5803 is hereby amended to read as follows: 40-5803. For the purposes of this act:

(a) "Delivered by electronic means" includes:

(1) Delivery to an electronic mail address at which a party has consented to receive notices or documents; or

(2) posting on an electronic network or site accessible via the internet, mobile application, computer, mobile device, tablet or any other electronic device, together with separate notice of the posting, which shall be provided by electronic mail to the address at which the party has consented to receive notice or by any other delivery method that has been consented to by the party.

(b) "Party" means any recipient of any notice or document required as part of an insurance transaction, including, but not limited to, an applicant, an insured, a policyholder or an annuity contract holder. "Party" does not include a "health benefit plan covered person."

(c) "Health benefit plan" means the same as in K.S.A. 40-4602, and amendments thereto. "Health benefit plan" shall also include any:

(1) Individual health insurance policy;

(2) individual or group dental insurance policy; or

(3) nonprofit dental services corporation.

(d) "Health benefit plan covered person" means a policyholder, subscriber, enrollee or other individual participating in a health benefit plan.

(e) "Insured" means an individual who is covered by an insurance policy, including a health benefit plan.

(f) "Nonprofit dental services corporation" means a nonprofit corporation organized pursuant to the nonprofit dental service corporation act, K.S.A. 40-19a01 et seq., and amendments thereto.

(g) "Plan sponsor" means the:

(1) Employer in the case of an employee benefit plan established or maintained by a single employer;

(2) employee organization in the case of a plan established or maintained by an

employee organization; or

(3) association, committee, joint board of trustees or similar group of representatives of the parties who establish or maintain the plan in the case of a plan established or maintained by two or more employers or jointly by one or more employers and one or more employee organizations.

Sec. 9. K.S.A. 40-5804 is hereby amended to read as follows: 40-5804. (a) Subject to subsection (c) or section 2, and amendments thereto, any notice to a party or any other document required under applicable law in an insurance transaction or that is to serve as evidence of insurance coverage may be delivered, stored and presented by electronic means so long as it meets the requirements of this act.

(b) Delivery of a notice or document in accordance with this section shall be considered equivalent to any delivery method required under applicable law, including delivery by first class mail; first class mail, postage prepaid; certified mail; certificate of mail; or certificate of mailing.

(c) A notice or document may be delivered by electronic means by an insurer to a party under this section if:

(1) The party has affirmatively consented to that method of delivery and has not withdrawn the consent;

(2) the party, before giving consent, is provided with a clear and conspicuous statement informing the party of:

(A) Any right or option of the party to have the notice or document provided or made available in paper or another non-electronic form;

(B) the right of the party to withdraw consent to have a notice or document delivered by electronic means and any fees, conditions or consequences imposed in the event consent is withdrawn;

(C) whether the party's consent applies: (i) Only to the particular transaction as to which the notice or document must be given; or (ii) to identified categories of notices or documents that may be delivered by electronic means during the course of the parties' relationship;

(D) (i) the means, after consent is given, by which a party may obtain a paper copy of a notice or document delivered by electronic means; and (ii) the fee, if any, for the paper copy; and

(E) the procedure a party must follow to withdraw consent to have a notice or document delivered by electronic means and to update information needed to contact the party electronically;

(3) the party, before giving consent, is provided with a statement of the hardware and software requirements for access to and retention of a notice or document delivered by electronic means; and consents electronically, or confirms consent electronically, in a manner that reasonably demonstrates that the party can access information in the electronic form that will be used for notices or documents delivered by electronic means as to which the party has given consent; and

(4) after consent of the party is given, the insurer, in the event a change in the hardware or software requirements needed to access or retain a notice or document delivered by electronic means creates a material risk that the party will not be able to access or retain a subsequent notice or document to which the consent applies, provides the party with a statement of: (A) The revised hardware and software requirements for access to and retention of a notice or document delivered by electronic means; and (B)

the right of the party to withdraw consent without the imposition of any fee, condition, or consequence that was not disclosed under subsection (c)(2).

(d) This act does not affect requirements related to content or timing of any notice or document required under applicable law.

(e) If a provision of this act or applicable law requiring a notice or document to be provided to a party or health benefit plan covered person expressly requires verification or acknowledgment of receipt of the notice or document, the notice or document may be delivered by electronic means only if the method used provides for verification or acknowledgment of receipt.

(f) The legal effectiveness, validity, or enforceability of any contract or policy of insurance executed by a party or health benefit plan covered person may not be denied solely because of the failure to obtain electronic consent or confirmation of consent of the party in accordance with subsection (c)(3) or section 2, and amendments thereto.

(g) A withdrawal of consent by a party ~~does~~ or health benefit plan covered person shall not affect the legal effectiveness, validity, or enforceability of a notice or document delivered by electronic means to the party or health benefit plan covered person before the withdrawal of consent is effective. A withdrawal of consent by a party or health benefit plan covered person is effective within a reasonable period of time after receipt of the withdrawal by the insurer. Failure by an insurer to comply with subsection (c)(4) may be treated, at the election of the party or health benefit plan covered person, as a withdrawal of consent for purposes of this section.

(h) This section does not apply to a notice or document delivered by an insurer in an electronic form before the effective date of this act to a party or health benefit plan covered person who, before that date, has consented to receive a notice or document in an electronic form otherwise allowed by law.

(i) If the consent of a party to receive certain notices or documents in an electronic form is on file with an insurer before the effective date of this act, and pursuant to this section, an insurer intends to deliver additional notices or documents to such party in an electronic form, then prior to delivering such additional notices or documents electronically, the insurer shall notify the party of the notices or documents that may be delivered by electronic means under this section that were not previously delivered electronically and the party's right to withdraw consent to have notices or documents delivered by electronic means.

(j) Notwithstanding any other provisions of this section, insurance policies and endorsements that do not contain personally identifiable information may be mailed, delivered or posted on the insurer's website. If the insurer elects to post insurance policies and endorsements on its website in lieu of mailing or delivering such policies and endorsements to the insured, such insurer shall comply with all of the following conditions:

(1) The policy and endorsements shall be easily accessible and remain that way for as long as the policy is in force;

(2) after the expiration of the policy, the insurer shall archive its expired policies and endorsements for five years and make them available upon request;

(3) the policies and endorsements shall be posted in a manner that enables the insured to print and save the policy and endorsements using programs or applications that are widely available on the internet and free to use;

(4) the insurer shall provide notice, at the time of issuance of the initial policy

forms and any renewal forms, of a method by which insureds may obtain, upon request and without charge, a paper or electronic copy of their policy or endorsements;

(5) on each declarations page issued to an insured, the insurer shall clearly identify the exact policy and endorsement forms purchased by the insured; and

(6) the insurer shall provide notice of any changes to the forms or endorsements, and of the insured's right to obtain, upon request and without charge, a paper or electronic copy of such forms or endorsements.

(k) Except as otherwise provided by law, if an oral communication or a recording of an oral communication from a party can be reliably stored and reproduced by an insurer, the oral communication or recording may qualify as a notice or document delivered by electronic means for purposes of this section. If a provision of this title or applicable law requires a signature or notice or document to be notarized, acknowledged, verified or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by the provision, is attached to or logically associated with the signature, notice or document.

(l) This section shall not affect any obligation of the insurer to provide notice to any person other than the insured of any notice provided to the insured.

(m) This section shall not be construed to modify, limit or supersede the provisions of the federal electronic signatures in global and national commerce act, public law 106-229, or the provisions of the uniform electronic transactions act, K.S.A. 16-1601 et seq., and amendments thereto.

(n) The provisions of the electronic notice and document act shall not apply to any mutual insurance company organized pursuant to article 12a of chapter 40 of the Kansas Statutes Annotated, and amendments thereto.

(o) The provisions of this section shall not apply to the electronic delivery of explanation of benefits and policies, including federally required summary of benefit and coverage documents, to a party by a health benefit plan.

Sec. 10. K.S.A. 44-584 is hereby amended to read as follows: 44-584. (a) The application for a new certificate shall be signed by the trustees of the trust fund created by the pool. Any application for a renewal of an existing certificate shall meet at least the standards established in K.S.A. 44-582(a)(6) through (a)(14), and amendments thereto. After evaluating the application the commissioner shall notify the applicant that the plan submitted is approved or conversely, if the plan submitted is inadequate, the commissioner shall then fully explain to the applicant what additional requirements must be met. If the application is denied, the applicant shall have 15 days to make an application for hearing by the commissioner after service of the denial notice. The hearing shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(b) An approved certificate of authority shall remain in full force and effect until such certificate is suspended or revoked by the commissioner. An existing pool operating under an approved certificate of authority must file with the commissioner, within 120 days following the close of the pool's fiscal year, a current financial statement on a form approved by the commissioner showing the financial ability of the pool to meet its obligations under the worker compensation act and confirmation of specific and aggregate excess insurance as required by law for the pool. If an existing pool's certificate of authority is suspended or revoked, such pool shall have the same

rights to a hearing by the commissioner as for applicants for new certificates of authority as set forth in subsection (a).

(c) Whenever the commissioner shall deem it necessary the commissioner may make, or direct to be made, an examination of the affairs and financial condition of any pool. Each pool shall submit a certified independent audited financial statement ~~no~~ not later than ~~150~~ 180 days after the end of the pool's fiscal year. The financial statement shall include outstanding reserves for claims and for claims incurred but not reported. Each pool shall file payroll records, accident experience and compensation reports and such other reports and statements at such times and in such manner as the commissioner shall require. Whenever it appears to the commissioner from such examination or other satisfactory evidence that the solvency of any such pool is impaired, or that it is doing business in violation of any of the laws of this state, or that its affairs are in an unsound condition so as to endanger its ability to pay or cause to be paid the compensation in the amount, manner and time due as provided for in the Kansas workers compensation act, the commissioner shall, before filing such report or making the same public, grant such pool upon reasonable notice a hearing in accordance with the provisions of the Kansas administrative procedure act, and, if on such hearing the report be confirmed, the commissioner shall suspend the certificate of authority for such pool until its solvency shall have been fully restored and the laws of the state fully complied with. The commissioner may, if there is an unreasonable delay in restoring the solvency of such pool and in complying with the law, revoke the certificate of authority of such pool to do business in this state. Upon revoking any such certificate the commissioner shall communicate the fact to the attorney general, whose duty it shall be to commence and prosecute an action in the proper court to dissolve such pool or to enjoin the same from doing or transacting business in this state. The commissioner of insurance may call a hearing under K.S.A. 40-222b, and amendments thereto, and the provisions shall apply to group workers compensation pools.

Sec. 11. K.S.A. 44-590 is hereby amended to read as follows: 44-590. (a) After the inception date of the group-funded workers' compensation pool, prospective new members of the pool shall submit an application for membership to the board of trustees or its administrator. The trustees may approve the application for membership pursuant to the bylaws of the pool. The application for membership and approval shall then be filed with the commissioner. Membership takes effect after approval.

(b) Individual members may elect to terminate their participation in a pool or be subject to cancellation by the pool pursuant to the bylaws of the pool. On termination or cancellation of a member, the pool shall ~~notify the commissioner within 10 days and shall~~ maintain coverage of each cancelled or terminating member for 30 days ~~after notice to the commissioner~~ or until the commissioner ~~such cancelled or terminating member~~ gives notice that the cancelled or terminating member has procured workers' compensation and employer's liability insurance, whichever occurs first.;

Also on page 3, in line 28, after "K.S.A." by inserting "12-2620,"; also in line 28, by striking "is" and inserting ", 40-1137, 40-5801, 40-5802, 40-5803, 40-5804, 44-584 and 44-590 and K.S.A. 2023 Supp. 40-2c01 are"; in line 30, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "relating to examinations" and inserting "updating certain terms, definitions and conditions relating to the requirements of

certain insurance reports, examinations and transactions"; in line 6, after "premiums" by inserting "; increasing the deadline for submission of audited financial statements of certain group-funded insurance pools from 150 to 180 days after the end of the fiscal year; updating the version of risk-based capital instructions in effect; requiring certain utilization review entities to implement a prior authorization application programming interface; permitting a plan sponsor to authorize electronic delivery of plan documents and identification cards for certain insured individuals covered by a health benefit plan; allowing title insurance agents to submit escrow, settlement and closing funds through certain real-time or instant payment systems"; also in line 6, after "K.S.A." by inserting "12-2620,"; also in line 6, after "40-223" by inserting ", 40-1137, 40-5801, 40-5803, 40-5804, 44-584 and 44-590 and K.S.A. 2023 Supp. 40-2c01"; in line 7, by striking "section" and inserting "sections; also repealing K.S.A. 40-5802";

And your committee on conference recommends the adoption of this report.

WILLIAM SUTTON

PATRICK PENN

CINDY NEIGHBOR

Conferees on part of House

JEFF LONGBINE

MICHAEL FAGG

CINDY HOLSCHER

Conferees on part of Senate

Senator Longbine moved the Senate adopt the Conference Committee Report on **SB 356**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 359** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 11, following line 22, by inserting:

"New Sec. 8. (a) On and after January 1, 2025, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one first city of Kansas license plate for each such passenger vehicle or truck. Such license plate shall be issued for the same time as other license plates upon proper

registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The Leavenworth county historical society may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee may apply annually to the Leavenworth county historical society for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the Leavenworth county historical society as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The Leavenworth county historical society, which shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a first city of Kansas license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or sent by the Leavenworth county historical society, or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The Leavenworth county historical society shall provide to all county treasurers an electronic mail address where applicants can contact the Leavenworth county historical society for information concerning the application process or the status of such applicant's license plate application.

(h) The Leavenworth county historical society, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the first city of Kansas license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and

vehicle type, to the Leavenworth county historical society and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto.

New Sec. 9. (a) Any license plate design that has not been approved for production and issuance by the division of vehicles by July 1, 2024, shall designate the county of registration for the motor vehicle that will bear such license plate. The director of vehicles may either print the horizontal abbreviation of the county of registration directly on the license plate or affix to the license plate by a decal the abbreviation of the county of registration. Except as otherwise provided in subsection (b), the provisions of this section shall apply to:

(1) Any passenger vehicle or truck as defined in K.S.A. 8-126, and amendments thereto, that is subject to taxation pursuant to K.S.A. 79-5101 et seq., and amendments thereto; or

(2) any vehicle that displays a distinctive or personalized license plate.

(b) The provisions of this section shall not apply to distinctive license plates designating a person as a recipient of the congressional medal of honor issued pursuant to K.S.A. 8-1,145, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking "and" and inserting a comma; in line 6, before the semicolon by inserting "and the first city of Kansas license plate; requiring certain license plates to have the county of registration for the motor vehicle identified on the license plate";

And your committee on conference recommends the adoption of this report.

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

Conferees on part of House

MIKE PETERSEN

RICK KLOOS

ETHAN CORSON

Conferees on part of Senate

Senator Petersen moved the Senate adopt the Conference Committee Report on **SB 359**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Doll.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 384** submits the following report:

The House recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 9, by inserting:

"New Section 1. (a) The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the Riley county unincorporated area nuisance abatement act.

(b) Before any nuisance abatement process shall be commenced under the Riley county unincorporated area nuisance abatement act, Riley county first shall have obtained a conviction for a county code violation resulting from such nuisance within the 12-month period prior to the issuance of any order as provided in section 2, and amendments thereto.

(c) (1) The board of county commissioners may order the removal or abatement of any nuisance from any lot or parcel of ground within the unincorporated area of the county. The board may order the repair or demolition of any structure or the removal or abatement of any other type of nuisance.

(2) The order shall provide that all costs associated with the abatement shall be paid by the owner of the property on which the nuisance is located.

New Sec. 2. (a) Whenever the board of county commissioners or other agency designated by the board files with the Riley county clerk a statement in writing describing a nuisance and declaring that such nuisance is a menace and dangerous to the health of the inhabitants of the county, the board of county commissioners, by resolution, may make such determination and issue an order requiring the nuisance be removed or abated.

(b) Except as provided by subsection (c), the board of county commissioners shall order the owner of the property to remove and abate the nuisance within not less than 10 days, to be specified in the order. The board or its designated representative may grant extensions of the time period indicated in the order. The order shall state that, before the expiration of the waiting period or any extension, the recipient may request a hearing before the board or its designated representative. The order shall be served on the owner by personal service in accordance with K.S.A. 60-303, and amendments thereto.

(c) If the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice sent pursuant to this section during the preceding 24-month period, the board of county commissioners may provide notice of the issuance of any further orders to abate or remove a nuisance from the property in the manner provided by subsection (d) or as provided in this subsection. The board may provide notice of the order by such methods including, but not limited to, door hangers conspicuously posting notice of the order on the property, personal notification, telephone communication or first-class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first-class mail.

(d) If the owner of the property fails to comply with the order for a period longer than that named in the order or any extensions of such time period, the board of county

commissioners may proceed to order the repair or demolition of any structure and have the items described in the order removed and abated from the lot or parcel of ground. If the county abates or removes the nuisance, the county shall give notice to the owner by certified mail, return receipt requested, of the total cost of the abatement or removal incurred by the county. The notice also shall state that payment of the cost is due and payable within 60 days following the mailing of the notice.

(e) If the cost of the removal or abatement is not paid within the 60-day period, the cost shall be assessed and charged against the lot or parcel of land on which the nuisance was located. If the cost is to be assessed, the county clerk, at the time of certifying other county taxes, shall certify the costs, and the county clerk shall extend the cost on the tax roll of the county against the lot or parcel of land. Such cost shall be collected by the county treasurer.

(f) In assessing the cost of removal and abatement of a nuisance, the county shall subtract from the total cost of the abatement or removal incurred by the county the value of the property removed or abated. If the value of the property removed or abated is greater than the cost of the removal or abatement incurred by the county, the county shall pay the owner the difference. If the value of the property is contested, the property owner may request a hearing before the board or its designated representative prior to the 60 days following receipt of notice of costs due and payable under subsection (d).

(g) All orders and notices shall be served on the owner of record or, if there is more than one owner of record, then on at least one such owner.

(h) Any decision of the board of county commissioners or its designated representative is subject to review in accordance with the Kansas judicial review act.

New Sec. 3. Riley county may remove and abate from property, other than public property or property open to use by the public, a motor vehicle determined to be a nuisance. Disposition of such vehicles shall be in compliance with the procedures for impoundment, notice and public auction provided by K.S.A. 8-1102(a)(2), and amendments thereto. Following any sale by public auction of a vehicle determined to be a nuisance, the purchaser may file proof with the division of vehicles, and the division shall issue a certificate of title to the purchaser of the motor vehicle. If a public auction is conducted but no responsible bid is received, the county may file proof with the division of vehicles, and the division shall issue a certificate of title of the motor vehicle to the county. Any person whose motor vehicle has been disposed of pursuant to this section shall be eligible for a refund of the tax imposed pursuant to K.S.A. 79-5101 et seq., and amendments thereto. The amount of the refund shall be determined in the manner provided by K.S.A. 79-5107, and amendments thereto.

New Sec. 4. The board of county commissioners may adopt a resolution to establish any policies, procedures, designated body or other related matters for hearings that property owners or their agents may request pursuant to the Riley county unincorporated area nuisance abatement act.

New Sec. 5. (a) The legislature declares it is the policy of this state to protect and encourage the production and processing of food and other agricultural products. As nonagricultural uses of property continue to move into agricultural and agribusiness areas, normal agricultural and agribusiness activities can find themselves subjected to public and private claims of nuisance. Therefore, it is the legislative intent of this act to protect agricultural and agribusiness activities from nuisance actions. As such, nothing in the Riley county unincorporated area nuisance abatement act shall apply to land,

structures, machinery and equipment or motor vehicles used for an agricultural activity or oil and gas exploration and development activity.

(b) For purposes of this section, the term "agricultural activity" means the same as defined in K.S.A. 2-3203, and amendments thereto, except such term shall also include real and personal property, machinery, equipment, stored grain and agricultural input products owned or maintained by commercial grain elevators and agribusiness facilities.

New Sec. 6. The Riley county unincorporated area nuisance abatement act, sections 1 through 6, and amendments thereto, shall expire on July 1, 2027.

New Sec. 7. (a) The provisions of sections 7 through 12, and amendments thereto, shall be known and may be cited as the Crawford county unincorporated area nuisance abatement act.

(b) Before any nuisance abatement process shall be commenced under the Crawford county unincorporated area nuisance abatement act, Crawford county first shall have obtained a conviction for a county code violation resulting from such nuisance within the 12-month period prior to the issuance of any order as provided in section 8, and amendments thereto.

(c) (1) The board of county commissioners may order the removal or abatement of any nuisance from any lot or parcel of ground within the unincorporated area of the county. The board may also order the repair or demolition of any structure or the removal or abatement of any other type of nuisance.

(2) The order shall provide that all costs associated with the abatement shall be paid by the owner of the property on which the nuisance is located.

New Sec. 8. (a) Whenever the board of county commissioners or other agency designated by the board files with the Crawford county clerk a statement, in writing, describing a nuisance and declaring that such nuisance is a menace and dangerous to the health of the inhabitants of the county, the board of county commissioners, by resolution, may make such determination and issue an order requiring the nuisance be removed or abated.

(b) Except as provided by subsection (c), the board of county commissioners shall order the owner of the property to remove and abate the nuisance within not less than 10 days, to be specified in the order. The board or its designated representative may grant extensions of the time period indicated in the order. The order shall state that, before the expiration of the waiting period or any extension, the recipient may request a hearing before the board or its designated representative. The order shall be served on the owner by personal service in accordance with K.S.A. 60-303, and amendments thereto.

(c) If the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice sent pursuant to this section during the preceding 24-month period, the board of county commissioners may provide notice of the issuance of any further orders to abate or remove a nuisance from the property in the manner provided by subsection (d) or as provided in this subsection. The board may provide notice of the order by such methods, including, but not limited to, door hangers conspicuously posting notice of the order on the property, personal notification, telephone communication or first-class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first-class mail.

(d) If the owner of the property fails to comply with the order for a period longer

than that named in the order or any extensions of such time period, the board of county commissioners may proceed to order the repair or demolition of any structure and have the items described in the order removed and abated from the lot or parcel of ground. If the county abates or removes the nuisance, the county shall give notice to the owner, by certified mail, with return receipt requested, of the total cost of the abatement or removal incurred by the county. The notice also shall state that payment of the cost is due and payable within 60 days following the mailing of the notice.

(e) If the cost of the removal or abatement is not paid within the 60-day period, the cost shall be assessed and charged against the lot or parcel of land on which the nuisance was located. If the cost is to be assessed, the county clerk, at the time of certifying other county taxes, shall certify the costs, and the county clerk shall extend the cost on the tax roll of the county against the lot or parcel of land. Such cost shall be collected by the county treasurer.

(f) In assessing the cost of removal and abatement of a nuisance, the county shall subtract from the total cost of the abatement or removal incurred by the county the value of the property removed or abated. If the value of the property removed or abated is greater than the cost of the removal or abatement incurred by the county, the county shall pay the owner the difference. If the value of the property is contested, the property owner may request a hearing before the board or its designated representative prior to the 60 days following receipt of notice of costs due and payable under subsection (d).

(g) All orders and notices shall be served on the owner of record or, if there is more than one owner of record, then on at least one such owner.

(h) Any decision of the board of county commissioners or its designated representative is subject to review in accordance with the Kansas judicial review act.

New Sec. 9. Crawford county may remove and abate from property, other than public property or property open to use by the public, a motor vehicle determined to be a nuisance. Disposition of such vehicles shall be in compliance with the procedures for impoundment, notice and public auction provided by K.S.A. 8-1102(a)(2), and amendments thereto. Following any sale by public auction of a vehicle determined to be a nuisance, the purchaser may file proof with the division of vehicles, and the division shall issue a certificate of title to the purchaser of the motor vehicle. If a public auction is conducted but no responsible bid is received, the county may file proof with the division of vehicles, and the division shall issue a certificate of title of the motor vehicle to the county. Any person whose motor vehicle has been disposed of pursuant to this section shall be eligible for a refund of the tax imposed pursuant to K.S.A. 79-5101 et seq., and amendments thereto. The amount of the refund shall be determined in the manner provided by K.S.A. 79-5107, and amendments thereto.

New Sec. 10. The board of county commissioners may adopt a resolution to establish any policies, procedures, designated body or other related matters for hearings that property owners or their agents may request pursuant to the Crawford county unincorporated area nuisance abatement act.

New Sec. 11. (a) The legislature declares it is the policy of this state to protect and encourage the production and processing of food and other agricultural products. As nonagricultural uses of property continue to move into agricultural and agribusiness areas, normal agricultural and agribusiness activities can find themselves subjected to public and private claims of nuisance. Therefore, it is the legislative intent of this act to protect agricultural and agribusiness activities from nuisance actions. As such, nothing

in the Crawford county unincorporated area nuisance abatement act shall apply to land, structures, machinery and equipment or motor vehicles used for an agricultural activity or oil and gas exploration and development activity.

(b) For purposes of this section, the term "agricultural activity" means the same as defined in K.S.A. 2-3203, and amendments thereto, except such term shall also include real and personal property, machinery, equipment, stored grain and agricultural input products owned or maintained by commercial grain elevators and agribusiness facilities.

New Sec. 12. The Crawford county unincorporated area nuisance abatement act, sections 7 through 12, and amendments thereto, shall expire on July 1, 2027.";

On page 4, following line 35, by inserting:

"(c) The board shall not require any ground vehicle providing interfacility transfers from any county with a population of 30,000 or less to operate with more than one person who satisfies the requirements of subsection (b) if the driver of such vehicle is certified in cardiopulmonary resuscitation.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "health and healthcare" and inserting "counties; creating the Riley county unincorporated area nuisance abatement act and the Crawford county unincorporated area nuisance abatement act; establishing procedures for the removal and abatement of nuisances; providing for the assessment of costs of such abatement"; in line 5, after the semicolon by inserting "permitting ambulances to operate with one certified emergency medical services provider in rural counties";

And your committee on conference recommends the adoption of this report.

EMIL BERGQUIST

DOUG BLEX

LINDA FEATHERSTON

Conferees on part of House

CAROLYN MCGINN

ELAINE BOWERS

MARCI FRANCISCO

Conferees on part of Senate

Senator McGinn moved the Senate adopt the Conference Committee Report on **SB 384**.

On roll call, the vote was: Yeas 33; Nays 5; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pyle, Reddi, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Olson, Pittman, Steffen, Straub, Tyson.

Present and Passing: Haley.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 387** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 387 with House Committee of the Whole amendments, as follows:

On page 2, following line 41, by inserting:

"(f) On the effective date of this act, the \$300,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 2(a) of chapter 98 of the 2023 Session Laws of Kansas from the state general fund in the juvenile transitional crisis center pilot account (652-00-1000-0210) is hereby lapsed.

(g) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (652-00-1000-0053).....\$87,297";

On page 3, by striking all in lines 33 through 43;

On page 4, by striking all in lines 1 through 16; by striking all in lines 19 and 20; by striking all in lines 26 through 43;

On page 5, by striking all in lines 1 through 12; in line 13, by striking all before the period and inserting "*Provided*, That expenditures shall be made by the above agency from the school safety and security grants account for fiscal year 2025 for disbursements of grant moneys approved by the state board of education for the: (1) Acquisition of automated external defibrillators and routine maintenance of such devices; (2) purchase and installation of security cameras that are compatible with the firearm detection software specified in paragraph (3); and (3) notwithstanding the provisions of K.S.A. 72-1151, and amendments thereto, or any other statute, acquisition and implementation of firearm detection software that: (A) Can reduce the threat and impact of gun violence by providing a firearm detection software solution that integrates into existing security camera systems; (B) is designated as qualified anti-terrorism technology under the federal SAFETY act, 6 U.S.C. § 441 et seq.; (C) complies with industry standard information security frameworks, including ISO 27001 and SOC 2 type 2; (D) is managed through a constantly monitored operations center that is staffed by highly trained analysts to ensure rapid communication of possible threats to end users; (E) is developed in the United States without the use of any third-party or open-source data; (F) is protected by an awarded patent that includes a training database populated with frames of actual videos of firearms that were taken in relevant environments across diverse industries; (G) is utilized in at least 30 states with customers in the public and private sector; (H) does not store, monetize or collect any biometric data or personally identifiable information; and (I) is able to detect three broad firearm classifications with a minimum of 300 subclassifications and has the ability to detect at least 2,000 permutations: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2025 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the school district that may be used for such purpose: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-3739, and amendments thereto, or any other statute, not less than 30 days following the effective date of this act, the above agency shall publish a list of the entities that provide firearm detection software that meets the requirements of

paragraph (3)";

On page 6, in line 15, after "who" by inserting "have completed training in the science of reading,";

On page 7, by striking all in lines 5 through 18;

On page 11, following line 31, by inserting:

"Children's cabinet public-private
partnership pilot program.....\$5,000,000

Provided, That all expenditures from the children's cabinet public-private partnership pilot program account shall be provided to a community foundation-led project that funds operational support to childcare providers in rural and frontier communities and can serve as a regional model for addressing childcare supply challenges: *Provided further*, That all such expenditures from such account shall require a match of private moneys on the basis of \$1 state moneys for \$1 private moneys: *And provided further*, That it is the intent of the legislature that the appropriation to the children's cabinet public-private partnership pilot program account made by this act is intended to be a one-time appropriation and that no moneys shall be appropriated to such account for fiscal year 2026.";

On page 14, in line 4, after "the" by inserting "sum of";

On page 18, in line 8, by striking "Commencing in school year 2024-2025,"; also in line 8, after "each" by inserting "participating";

On page 19, in line 13, after "Each" by inserting "participating"; in line 39, after "Each" by inserting "participating";

On page 22, in line 42, after "Each" by inserting "participating";

On page 23, in line 7, by striking all after "students"; in line 8, by striking all before "who"; in line 12, after "(i)" by inserting "(1) For school year 2024-2025, the provisions of subsections (a) through (h) shall be implemented as a pilot program by 10 school districts selected by the state board of education for participation in such pilot program. When selecting the 10 school districts that will participate in such pilot program, the state board of education shall select a diverse array of school districts with consideration given to a school district's size, location, student demographics and level of staff participation and prior training in the science of reading.

(2) Commencing in school year 2025-2026, the provisions of subsections (a) through (h) shall be implemented by all school districts, and the school districts that were selected by the state board for the pilot program shall continue in accordance with the provisions of subsections (a) through (h).

(j)";

Also on page 23, in line 15, after "(A)" by inserting "Subject to the provisions of subsection (i),"; in line 20, after "(B)" by inserting "subject to the provisions of subsection (i),"; in line 25, after "(C)" by inserting "the expenditures made from the school district's at-risk education fund, which shall be submitted:

(i) In school year 2024-2025 by the school districts that are participating in the pilot program established pursuant to subsection (i); and

(ii) in school year 2025-2026 and each school year thereafter, by all school districts;

(D)";

On page 24, in line 18, by striking "(i)" and inserting "(j)";

And by redesignating subsections, paragraphs, subparagraphs and clauses

accordingly;

On page 35, in line 1, by striking "(1)(L)" and inserting "(1)(M)";

On page 46, in line 38, by striking "peer" and inserting "school district";

On page 47, following line 1, by inserting:

"(C) If the state board removes any program or service from the state board's list of approved at-risk educational programs and services, a school district that is implementing any such program or service may apply to the state board to continue to make expenditures from the school district's at-risk education fund to continue to implement such program or service. When considering a school district's application to continue using any such program or service, the state board shall require such school district to demonstrate that any of the following improvements are directly attributable to the program or service:

(i) Academic improvement in either mathematics or English language arts has occurred; or

(ii) an improvement in attendance, college and career readiness measures or the education climate through a showing of a measurable decrease in detentions, expulsions, tardiness or other behavioral issues that hinder student learning.";

Also on page 47, by striking all in lines 7 through 15;

On page 48, in line 34, by striking "peer" and inserting "school district";

On page 1, in the title, in line 16, by striking all after the semicolon; in line 17, by striking all before the first "to" and inserting "establishing a pilot program in school year 2024-2025 to require certain school districts"; in line 19, after the semicolon by inserting "requiring all school districts to participate in such program in school year 2025-2026;"; also in line 19, after "holding" by inserting "participating"; in line 22, by striking "expenditure" and inserting "expenditures";

And your committee on conference recommends the adoption of this report.

KRISTEY WILLIAMS

JASON GOETZ

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

Conferees on part of Senate

The motion of Senator Baumgardner to adopt the conference committee report on **H Sub SB 387** failed.

On roll call, the vote was: Yeas 12; Nays 26; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Claeys, Erickson, Fagg, Gossage, Kloos, Masterson, Peck, Petersen, Thompson, Warren.

Nays: Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Olson, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Tyson, Ware.

Present and Passing: Wilborn.

Absent or Not Voting: Ryckman.

The committee report was not adopted.

Having voted on the prevailing side, Senator Blasi motioned to reconsider previous action. Motion carried.

Senator Blasi motioned to not adopt the Conference Committee Report on **H Sub SB 387** and appoint a new conference. Motion carried by voice vote.

The President appointed Senators Baumgardner, Erickson and Sykes as third conferees on the part of the Senate.

EXPLANATION OF VOTE

I voted "NO" on **H Sub SB 387** because our state's education funding continues to be based on a Supreme Court ruling that is unconstitutional and a gross overreach of the judicial branch. Public education is a dramatic overspend for the product received. Until public education is exposed to competition via "school choice," it will continue to underachieve. School choice with funding traveling with the student is key to the ultimate success of all Kansas students.—MARK STEFFEN

CONFERENCE COMMITTEE REPORT

Senator Longbine motioned to not adopt the Conference Committee Report on **SB 423** and appoint a new conference. Motion carried by voice vote.

The President appointed Senators Longbine, Fagg and Holscher as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 438** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

ADAM THOMAS

SUSAN ESTES

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

On motion of Senator Baumgardner the Senate adopted the conference committee report on **SB 438**, and requested a new conference be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a second Conference Committee on the part of the Senate on **SB 438**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 455** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 17 through 34;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 24; following line 24, by inserting:

"Section 1. K.S.A. 2023 Supp. 66-104 is hereby amended to read as follows: 66-104. (a) ~~The term "public utility,"~~ As used in this act, ~~shall be construed to mean "public utility"~~ means every corporation, company, individual, association of persons, their trustees, lessees or receivers, that now or hereafter may own, control, operate or manage, except for private use, any equipment, plant or generating machinery, or any part thereof, for the transmission of telephone messages or for the transmission of telegraph messages in or through any part of the state, or the conveyance of oil and gas through pipelines in or through any part of the state, except pipelines less than 15 miles in length and not operated in connection with or for the general commercial supply of gas or oil, and all companies for the production, transmission, delivery or furnishing of heat, light, water or power. No cooperative, cooperative society, nonprofit or mutual corporation or association that is engaged solely in furnishing telephone service to subscribers from one telephone line without owning or operating its own separate central office facilities, shall be subject to the jurisdiction and control of the commission as provided in this section, except that it shall not construct or extend its facilities across or beyond the territorial boundaries of any telephone company or cooperative without first obtaining approval of the commission. ~~The term "Transmission of telephone messages" shall include~~ includes the transmission by wire or other means of any voice, data, signals or facsimile communications, including all such communications now in existence or as may be developed in the future.

(b) ~~The term "Public utility" shall also include~~ includes that portion of every municipally owned or operated electric or gas utility located in an area outside of and more than three miles from the corporate limits of such municipality, but regulation of the rates, charges ~~and~~ terms and conditions of service of such utility within such area shall be subject to commission regulation only as provided in K.S.A. 66-104f, and amendments thereto. Nothing in this act shall apply to a municipally owned or operated utility, or portion thereof, located within the corporate limits of such municipality or located outside of such corporate limits but within three miles thereof.

(c) Except as provided in this section, the power and authority to control and regulate all public utilities and common carriers situated and operated wholly or principally within any city or principally operated for the benefit of such city or its people, shall be vested exclusively in such city, subject only to the right to apply for relief to the corporation commission as provided in K.S.A. 66-133, and amendments thereto, and to the provisions of K.S.A. 66-104e, and amendments thereto. A transit system principally engaged in rendering local transportation service in and between contiguous cities in this and another state by means of street railway, trolley bus and motor bus lines, or any combination thereof, shall be deemed to be a public utility as that term is used in this act and shall be subject to the jurisdiction of the commission.

(d) ~~The term "Public utility" shall~~ does not include any activity of an otherwise jurisdictional corporation, company, individual, association of persons, their trustees, lessees or receivers as to the marketing or sale of:

- (1) Compressed natural gas for end use as motor vehicle fuel; or
- (2) electricity that is purchased through a retail electric supplier in the certified territory of such retail electric supplier, as such terms are defined in K.S.A. 66-1,170, and amendments thereto, for the sole purpose of the provision of electric vehicle

charging service to end users.

(e) (1) Except as provided in paragraph (2), at the option of an otherwise jurisdictional entity, ~~the term "public utility"~~ shall does not include any activity or facility of such entity as to the generation, marketing and sale of electricity generated by an electric generation facility or addition to an electric generation facility that:

- (A) Is newly constructed and placed in service on or after January 1, 2001; and
- (B) is not in the rate base of:

(i) An electric public utility that is subject to rate regulation by the state corporation commission;

(ii) any cooperative, as defined by K.S.A. 17-4603, and amendments thereto, or any nonstock member-owned cooperative corporation incorporated in this state; or

(iii) a municipally owned or operated electric utility.

(2) The provisions of this subsection shall not be construed to affect the authority of the state corporation commission to regulate any activity or facility of an otherwise jurisdictional entity with regard to wire stringing pursuant to K.S.A. 66-183 et seq., and amendments thereto.

(f) Additional generating capacity achieved through efficiency gains by refurbishing or replacing existing equipment at generating facilities placed in service before January 1, 2001, shall not qualify under subsection (e).

(g) For purposes of the authority to appropriate property through eminent domain, ~~the term "public utility"~~ shall does not include any activity for the siting or placement of:

(1) Wind powered electrical generators or turbines, including the towers; or

(2) solar powered electric generation equipment, including panels.;

Also on page 6, in line 25, by striking "66-1239" and inserting "66-104";

On page 1, in the title, in line 1, by striking all after "to"; by striking all in lines 2 through 12; in line 13, by striking "facilities" and inserting "eminent domain; prohibiting public utilities from exercising eminent domain for the siting or placement of solar powered generation facilities"; also in line 13, by striking "66-1239" and inserting "66-104";

And your committee on conference recommends the adoption of this report.

LEO DELPERDANG

CARL TURNER

K C OHOEBOSIM

Conferees on part of House

MICHAEL FAGG

MIKE PETERSEN

MARCI FRANCISCO

Conferees on part of Senate

Senator Fagg moved the Senate adopt the Conference Committee Report on **SB 455**.

(Debated on 4-3-2024)

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 2; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle,

Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Blasi, Haley.

Absent or Not Voting: Kerschen, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2036** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2036, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 20; following line 20, by inserting:

"New Section 1. On July 1, 2024, the director of accounts and reports shall transfer all moneys in the local ad valorem tax reduction fund to the state general fund. On July 1, 2024, all liabilities of the local ad valorem tax reduction fund are hereby transferred to and imposed on the state general fund, and the local ad valorem tax reduction fund is hereby abolished.

New Sec. 2. On July 1, 2024, the director of accounts and reports shall transfer all moneys in the county and city revenue sharing fund to the state general fund. On July 1, 2024, all liabilities of the county and city revenue sharing fund are hereby transferred to and imposed on the state general fund, and the county and city revenue sharing fund is hereby abolished.

New Sec. 3. On August 15, 2024, and each August 15 thereafter, the director of the budget, in consultation with the director of property valuation, shall certify to the director of accounts and reports if the tax levied pursuant to K.S.A. 72-5142, and amendments thereto, is decreased from 20 mills or the exemption provided by K.S.A. 79-201x, and amendments thereto, is increased from \$42,049 for any tax year. The director of the budget shall certify to the director of accounts and reports and shall transfer a copy of such certification to the director of legislative research, the amount of revenue that the decrease in property tax would have generated for the tax year if such tax was levied pursuant to K.S.A. 72-5142, and amendments thereto, at the rate of 20 mills and the difference in the amount of revenue that the increase in the exemption provided by K.S.A. 79-201x, and amendments thereto, would have generated for the tax year if the exemption amount was \$42,049. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer such certified amount from the state general fund to the state school district finance fund of the department of education.

Sec. 4. On and after July 1, 2024, K.S.A. 65-163j is hereby amended to read as follows: 65-163j. (a) The dedicated source of revenue for repayment of a loan to a municipality may include service charges, connection fees, special assessments, property taxes, grants or any other source of revenue lawfully available to the municipality for such purpose. In order to ensure repayment by municipalities of the amounts of loans provided under this act, the secretary, after consultation with the governing body of any municipality ~~which~~ ~~that~~ receives a loan, may adopt charges to be levied against individuals and entities served by the project. Any such charges shall

remain in effect until the total amount of the loan, and any interest thereon, has been repaid. The charges shall, insofar as is practicable, be equitably assessed and may be in the form of a surcharge to the existing charges of the municipality. The governing body of any municipality ~~which that~~ receives a loan under this act shall collect any charges established by the secretary and shall pay the moneys collected therefrom to the secretary in accordance with procedures established by the secretary.

~~(b) Upon the failure of a municipality to meet the repayment terms and conditions of the agreement, the secretary may order the treasurer of the county in which the municipality is located to pay to the secretary such portion of the municipality's share of the local ad valorem tax reduction fund as may be necessary to meet the terms of the agreement, notwithstanding the provisions of K.S.A. 79-2960 and 79-2961, and amendments thereto. Upon the issuance of such an order, the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961, and amendments thereto.~~

~~(e)~~ Municipalities ~~which that~~ are provided with loans under this act shall maintain project accounts in accordance with generally accepted government accounting standards.

~~(d)~~(c) Any loans received by a municipality under the provisions of this act shall be construed to be bonds for the purposes of K.S.A. 10-1116 and 79-5028, and amendments thereto, and the amount of such loans shall not be included within any limitation on the bonded indebtedness of the municipality.

Sec. 5. On and after July 1, 2024, K.S.A. 65-3306 is hereby amended to read as follows: 65-3306. The secretary's annual request for appropriations to the water pollution control account shall be based on an estimate of the fiscal needs for the ensuing budget year, less any amounts received by the secretary from any public or private grants or contributions and moneys in such account shall be used solely for the purposes provided for by this act. Moneys allocated to a municipality shall be encumbered as an expenditure of this account upon the formal letting of a contract for the improvement notwithstanding the date ~~on which when~~ actual payment is made of the state financial assistance. Any municipality may contribute moneys to the state water pollution control account. If there are no uncommitted or unencumbered moneys in the water pollution control account, any municipality applying for any water pollution control project as defined in K.S.A. 65-3302, ~~and amendments thereto~~, shall as a condition of such application certify in writing to the secretary that a contribution in the amount of ~~twenty-five percent~~ (25%) of the eligible cost of such project will be made to the water pollution control account by such municipality prior to formal letting of a construction contract. Upon receipt by the secretary, each such contribution shall be retained in a subaccount of the water pollution control account for use solely in the project for which the municipality has made application.

~~Notwithstanding the provisions of K.S.A. 79-2960 and 79-2961, any municipality applying for such a water pollution control project may make such contribution from all or such part of its share of the local ad valorem tax reduction fund as may be necessary for such purpose, and to the extent such fund is pledged and used for such purpose the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961. Taxes levied by any municipality by reason of its failure to make such reduction in its levies shall not be subject to or be considered in computing the aggregate limitation upon the levy of taxes by such municipality under~~

~~the provisions of K.S.A. 79-5003.~~

Sec. 6. On and after July 1, 2024, K.S.A. 65-3327 is hereby amended to read as follows: 65-3327. (a) The dedicated source of revenue for repayment of the loans may include service charges, connection fees, special assessments, property taxes, grants or any other source of revenue lawfully available to the municipality for such purpose. In order to ensure repayment by municipalities of the amounts of loans provided under K.S.A. 65-3321 through 65-3329, and amendments thereto, the secretary, after consultation with the governing body of any municipality which receives a loan, may adopt charges to be levied against users of the project. Any such charges shall remain in effect until the total amount of the loan, and any interest thereon, has been repaid. The charges shall, insofar as is practicable, be equitably assessed and may be in the form of a surcharge to the existing charges of the municipality. The governing body of any municipality which receives a loan under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall collect any charges established by the secretary and shall pay the moneys collected therefrom to the secretary in accordance with procedures established by the secretary.

~~(b) Upon the failure of a municipality to meet the repayment terms and conditions of the agreement, the secretary may order the treasurer of the county in which the municipality is located to pay to the secretary such portion of the municipality's share of the local ad valorem tax reduction fund as may be necessary to meet the terms of the agreement, notwithstanding the provisions of K.S.A. 79-2960 and 79-2961 and amendments thereto. Upon the issuance of such an order, the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961 and amendments thereto.~~

~~(c)~~ Municipalities ~~which that~~ are provided with loans under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall maintain project accounts in accordance with generally accepted government accounting standards.

~~(d)~~^(c) Municipalities ~~which that~~ receive a grant and an allowance under the federal act with respect to project costs for which a loan was provided under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall promptly repay such loan to the extent of the allowance received under the federal act.

~~(e)~~^(d) Any loans received by a municipality under the provisions of K.S.A. 65-3321 through 65-3329, and amendments thereto, shall be construed to be bonds for the purposes of K.S.A. 10-1116 and 79-5028, and amendments thereto, and the amount of such loans shall not be included within any limitation on the bonded indebtedness of the municipality.

Sec. 7. On and after July 1, 2024, K.S.A. 2023 Supp. 72-5142 is hereby amended to read as follows: 72-5142. (a) The board of education of each school district shall levy an ad valorem tax upon the taxable tangible property of the school district in the school years specified in subsection (b) for the purpose of:

(1) Financing that portion of the school district's general fund budget that is not financed from any other source provided by law;

(2) paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state; and

(3) with respect to any redevelopment school district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the

principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district.

(b) The tax required under subsection (a) shall be levied at a rate of ~~20~~ 19.5 mills in the school years ~~2023-2024 and 2024-2025 and 2025-2026~~.

(c) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose described in subsection (a)(3), shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(d) No school district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

Sec. 8. On and after July 1, 2024, K.S.A. 2023 Supp. 74-8768 is hereby amended to read as follows: 74-8768. (a) There is hereby created the expanded lottery act revenues fund in the state treasury. All expenditures and transfers from such fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be expended or transferred only for the purposes of reduction of state debt, state infrastructure improvements, the university engineering initiative act, ~~reduction of local ad valorem tax in the same manner as provided for allocation of amounts in the local ad valorem tax reduction fund~~ and reduction of the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, by the Kansas public employees retirement system.

(b) On July 1, 2021, July 1, 2022, July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, July 1, 2027, July 1, 2028, July 1, 2029, July 1, 2030, and July 1, 2031, or as soon thereafter such date as moneys are available, the first \$10,500,000 credited to the expanded lottery act revenues fund shall be transferred by the director of accounts and reports from the expanded lottery act revenues fund in one or more substantially equal amounts, to each of the following: The Kan-grow engineering fund – KU, Kan-grow engineering fund – KSU and Kan-grow engineering fund – WSU. Each such special revenue fund shall receive \$3,500,000 annually in each of such years. Commencing in fiscal year 2014, after such transfer has been made, 50% of the remaining moneys credited to the fund shall be transferred on a quarterly basis by the director of accounts and reports from the fund to the Kansas public employees retirement system fund to be applied to reduce the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931 et seq., and amendments thereto, until the system as a whole attains an 80% funding ratio as certified by the board of trustees of the Kansas public employees retirement system.

Sec. 9. On and after July 1, 2024, K.S.A. 75-2556 is hereby amended to read as follows: 75-2556. (a) The state librarian shall determine the amount of the grant-in-aid each eligible local public library is to receive based on the latest population census figures as certified by the division of the budget.

(b) Except as provided by subsection (d), no local public library shall be eligible for any state grants-in-aid if the total amount of the following paragraphs is less than the total amount produced from such sources for the same library for the previous year, based on the information contained in the official annual budgets of municipalities that are filed with the division of accounts and reports in accordance with K.S.A. 79-2930,

and amendments thereto:

(1) The amount produced by the local ad valorem tax levies for the current year expenses for such library;

~~(2) the amount of moneys received from the local ad valorem tax reduction fund for current year expenses for such library;~~

~~(3) the amount of moneys received from taxes levied upon motor vehicles under the provisions of K.S.A. 79-5101 et seq., and amendments thereto, for current year expenses for such library; and~~

~~(4)(3) the amount of moneys received in the current year from collections of unpaid local ad valorem tax levies for prior year expenses for such library.~~

(c) Local public library districts in which the assessed valuation decreases shall remain eligible for state grants-in-aid so long as the ad valorem tax mill rate for the support of such library has not been reduced below the mill rate imposed for such purpose for the previous year.

(d) If a local public library fails to qualify for eligibility for any state grants-in-aid under subsection (b), the state librarian shall have the power to continue the eligibility of a local public library for any state grants-in-aid if the state librarian, after evaluation of all the circumstances, determines that the legislative intent for maintenance of local tax levy support for the on-going operations of the library is being met by the library district.

(e) The distribution so determined shall be apportioned and paid on February 15 of each year.

Sec. 10. On and after July 1, 2024, K.S.A. 2023 Supp. 79-201x is hereby amended to read as follows: 79-201x. ~~(a)~~ For taxable year ~~2022~~ 2024, and all taxable years thereafter, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-5142, and amendments thereto: Property used for residential purposes to the extent of ~~\$40,000~~ \$100,000 of its appraised valuation.

~~(b) For taxable year 2023, and all taxable years thereafter, the dollar amount of the extent of appraised valuation that is exempt pursuant to subsection (a) shall be adjusted to reflect the average percentage change in statewide residential valuation of all residential real property for the preceding 10 years. Such average percentage change shall not be less than zero. The director of property valuation shall calculate the average percentage change for purposes of this annual adjustment and calculate the dollar amount of the extent of appraised valuation that is exempt pursuant to this section each year.~~

Sec. 11. On and after July 1, 2024, K.S.A. 79-1107 is hereby amended to read as follows: 79-1107. ~~(a)~~ Every national banking association and state bank located or doing business within the state shall pay to the state for the privilege of doing business within the state a tax according to or measured by its net income for the next preceding taxable year to be computed as provided in this act. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

~~(a)(1) (A) For tax year 2024,~~ the normal tax shall be an amount equal to ~~2¹/₄%~~ 2.25% of such net income; and

~~(B) for tax year 2025, and all tax years thereafter,~~ the normal tax shall be an amount equal to 1.63% of such net income; and

~~(b)(2) the surtax shall be an amount equal to~~ ~~2¹/₈%~~ 2.125% of such net income in

excess of \$25,000.

(b) The tax levied shall be in lieu of ad valorem taxes which might otherwise be imposed by the state or political subdivisions thereof upon shares of capital stock or the intangible assets of national banking associations and state banks.

Sec. 12. On and after July 1, 2024, K.S.A. 79-1108 is hereby amended to read as follows: 79-1108. (a) Every trust company and savings and loan association located or doing business within the state shall pay to the state for the privilege of doing business within the state a tax according to or measured by its net income for the next preceding taxable year to be computed as provided in this act. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(a)(1) (A) For tax year 2024, the normal tax on every trust company and savings and loan association shall be an amount equal to ~~2⁺/₄%~~ 2.25% of such net income; and

(B) for tax year 2025, and all tax years thereafter, the normal tax on every trust company and savings and loan association shall be an amount equal to 1.61% of such net income; and

(b)(2) the surtax on every trust company and savings and loan association shall be an amount equal to ~~2⁺/₄%~~ 2.25% of such net income in excess of \$25,000.

(b) The tax levied shall be in lieu of ad valorem taxes which might otherwise be imposed by the state or political subdivision thereof upon shares of capital stock or other intangible assets of trust companies and savings and loan associations.

Sec. 13. On and after July 1, 2024, K.S.A. 79-1479 is hereby amended to read as follows: 79-1479. (a) On or before January 15, 1992, and quarterly thereafter, the county or district appraiser shall submit to the director of property valuation a progress report indicating actions taken during the preceding quarter calendar year to implement the appraisal of property in the county or district. Whenever the director of property valuation shall determine that any county has failed, neglected or refused to properly provide for the appraisal of property or the updating of the appraisals on an annual basis in substantial compliance with the provisions of law and the guidelines and timetables prescribed by the director, the director shall file with the state board of tax appeals a complaint stating the facts upon which the director has made the determination of noncompliance as provided by K.S.A. 79-1413a, and amendments thereto. If, as a result of such proceeding, the state board of tax appeals finds that the county is not in substantial compliance with the provisions of law and the guidelines and timetables of the director of property valuation providing for the appraisal of all property in the county or the updating of the appraisals on an annual basis, it shall order the immediate assumption of the duties of the office of county appraiser by the director of the division of property valuation until such time as the director of property valuation determines that the county is in substantial compliance with the provisions of law. ~~In addition, the board shall order the state treasurer to withhold all or a portion of the county's entitlement to moneys from either or both of the local ad valorem tax reduction fund and the city and county revenue sharing fund for the year following the year in which the order is issued.~~ Upon service of any such order on the board of county commissioners, the appraiser shall immediately deliver to the director of property valuation, or the director's designee, all books, records and papers pertaining to the appraiser's office.

Any county for which the director of the division of property valuation is ordered by the state board of tax appeals to assume the responsibility and duties of the office of

county appraiser shall reimburse the state for the actual costs incurred by the director of the division of property valuation in the assumption and carrying out of such responsibility and duties, including any contracting costs in the event it is necessary for the director of property valuation to contract with private appraisal firms to carry out such responsibilities and duties.

(b) On or before June 1 of each year, the director of property valuation shall review the appraisal of property in each county or district to determine if property within the county or district is being appraised or valued in accordance with the requirements of law. If the director determines the property in any county or district is not being appraised in accordance with the requirements of law, the director of property valuation shall notify the county or district appraiser and the board of county commissioners of any county or counties affected that the county has 30 days within which to submit to the director a plan for bringing the appraisal of property within the county into compliance.

If a plan is submitted and approved by the director the county or district shall proceed to implement the plan as submitted. The director shall continue to monitor the program to insure that the plan is implemented as submitted. If no plan is submitted or if the director does not approve the plan, the director shall petition the state board of tax appeals for a review of the plan or, if no plan is submitted, for authority for the division of property valuation to assume control of the appraisal program of the county and to proceed to bring the same into compliance with the requirements of law.

If the state board of tax appeals approves the plan, the county or district appraiser shall proceed to implement the plan as submitted. If no plan has been submitted or the plan submitted is not approved, the board shall fix a time within which the county may submit a plan or an amended plan for approval. If no plan is submitted and approved within the time prescribed by the board, the board shall order the division of property valuation to assume control of the appraisal program of the county ~~and shall certify its order to the state treasurer who shall withhold distributions of the county's share of moneys from the county and city revenue sharing fund and the local ad valorem tax reduction fund and credit the same to the general fund of the state for the year following the year in which the board's order is made.~~ The director of property valuation shall certify the amount of the cost incurred by the division in bringing the program in compliance to the state board of tax appeals. The board shall order the county commissioners to reimburse the state for such costs.

(c) The state board of tax appeals shall within 60 days after the publication of the Kansas assessment/sales ratio study review such publication to determine county compliance with K.S.A. 79-1439, and amendments thereto. If in the determination of the board one or more counties are not in substantial compliance and the director of property valuation has not acted under subsection (b), the board shall order the director of property valuation to take such corrective action as is necessary or to show cause for noncompliance.

Sec. 14. On and after July 1, 2024, K.S.A. 2023 Supp. 79-2988 is hereby amended to read as follows: 79-2988. (a) On or before June 15 each year, the county clerk shall calculate the revenue neutral rate for each taxing subdivision and include such revenue neutral rate on the notice of the estimated assessed valuation provided to each taxing subdivision for budget purposes. The director of accounts and reports shall modify the prescribed budget information form to show the revenue neutral rate.

(b) No tax rate in excess of the revenue neutral rate shall be levied by the governing body of any taxing subdivision unless a resolution or ordinance has been approved by the governing body according to the following procedure:

(1) At least 10 days in advance of the public hearing, the governing body shall publish notice of its proposed intent to exceed the revenue neutral rate by publishing notice:

(A) On the website of the governing body, if the governing body maintains a website; and

(B) in a weekly or daily newspaper of the county having a general circulation therein. The notice shall include, but not be limited to, its proposed tax rate, its revenue neutral rate and the date, time and location of the public hearing.

(2) On or before July 20, the governing body shall notify the county clerk of its proposed intent to exceed the revenue neutral rate and provide the date, time and location of the public hearing and its proposed tax rate. For all tax years commencing after December 31, 2021, the county clerk shall notify each taxpayer with property in the taxing subdivision, by mail directed to the taxpayer's last known address, of the proposed intent to exceed the revenue neutral rate at least 10 days in advance of the public hearing. Alternatively, the county clerk may transmit the notice to the taxpayer by electronic means at least 10 days in advance of the public hearing, if such taxpayer and county clerk have consented in writing to service by electronic means. The county clerk shall consolidate the required information for all taxing subdivisions relevant to the taxpayer's property on one notice. The notice shall be in a format prescribed by the director of accounts and reports. The notice shall include, but not be limited to:

(A) The revenue neutral rate of each taxing subdivision relevant to the taxpayer's property;

(B) the proposed property tax revenue needed to fund the proposed budget of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(C) the proposed tax rate based upon the proposed budget and the current year's total assessed valuation of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(D) the percentage by which the proposed tax rate exceeds the revenue neutral rate;

(E) the tax rate and property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement;

(F) the appraised value and assessed value of the taxpayer's property for the current year;

(G) the estimates of the tax for the current tax year on the taxpayer's property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates;

(H) the difference between the estimates of tax based on the proposed tax rate and the revenue neutral rate on the taxpayer's property described in subparagraph (G) for any taxing subdivision that has a proposed tax rate that exceeds its revenue neutral rate; and

(I) the date, time and location of the public hearing of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate.

Although the state of Kansas is not a taxing subdivision for purposes of this section,

the notice shall include a statement of the statutory mill levies imposed by the state and the estimate of the tax for the current year on the taxpayer's property based on such levies.

(3) The public hearing to consider exceeding the revenue neutral rate shall be held not sooner than August 20 and not later than September 20. The governing body shall provide interested taxpayers desiring to be heard an opportunity to present oral testimony within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment. The public hearing may be conducted in conjunction with the proposed budget hearing pursuant to K.S.A. 79-2929, and amendments thereto, if the governing body otherwise complies with all requirements of this section. Nothing in this section shall be construed to prohibit additional public hearings that provide additional opportunities to present testimony or public comment prior to the public hearing required by this section.

(4) A majority vote of the governing body, by the adoption of a resolution or ordinance to approve exceeding the revenue neutral rate, shall be required prior to adoption of a proposed budget that will result in a tax rate in excess of the revenue neutral rate. Such vote of the governing body shall be conducted at the public hearing after the governing body has heard from interested taxpayers and shall be a roll call vote. If the governing body approves exceeding the revenue neutral rate, the governing body shall not adopt a budget that results in a tax rate in excess of its proposed tax rate as stated in the notice provided pursuant to this section. A copy of the resolution or ordinance to approve exceeding the revenue neutral rate and a certified copy of any roll call vote reporting, at a minimum, the name and vote of each member of the governing body related to exceeding the revenue neutral rate, whether approved or not, shall be included with the adopted budget, budget certificate and other budget forms filed with the county clerk and the director of accounts and reports and shall be published on the website of the department of administration.

(c) (1) Any governing body subject to the provisions of this section that does not comply with subsection (b) shall refund to taxpayers any property taxes over-collected based on the amount of the levy that was in excess of the revenue neutral rate.

(2) Any taxpayer of the taxing subdivision that is the subject of the complaint or such taxpayer's duly authorized representative may file a complaint with the state board of tax appeals by filing a written complaint, on a form prescribed by the board, that contains the facts that the complaining party believes show that a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and that a reduction or refund of taxes is appropriate. The complaining party shall provide a copy of such complaint to the governing body of the taxing subdivision making the levy that is the subject of the complaint. Notwithstanding K.S.A. 74-2438a, and amendments thereto, no filing fee shall be charged by the executive director of the state board of tax appeals for a complaint filed pursuant to this paragraph. The governing body of the taxing subdivision making the levy that is the subject of the complaint shall be a party to the proceeding. Notice of any summary proceeding or hearing shall be served upon such governing body, the county clerk, the director of accounts and reports and the complaining party. It shall be the duty of the governing body to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity of such levy. If upon a summary proceeding or hearing, it shall be made to appear to the satisfaction of the board that the governing body of the taxing subdivision did not

comply with subsection (b), the state board of tax appeals shall order such governing body to refund to taxpayers the amount of property taxes over collected or reduce the taxes levied, if uncollected. The provisions of this paragraph shall not be construed as prohibiting any other remedies available under the law.

(d) On and after January 1, 2022, in the event that the ~~20-mills tax~~ tax levied by a school district pursuant to K.S.A. 72-5142, and amendments thereto, increases the property tax revenue generated for the purpose of calculating the revenue neutral rate from the previous tax year and such amount of increase in revenue generated from ~~the 20-mills such tax levied~~ is the only reason ~~that~~ the school district would exceed the total property tax revenue from the prior year, the school district shall be deemed to not have exceeded the revenue neutral rate in levying a tax rate in excess of the revenue neutral rate to take into account the increase in revenue from only ~~the 20-mills such tax levied~~.

(e) (1) Notwithstanding any other provision of law to the contrary, if the governing body of a taxing subdivision must conduct a public hearing to approve exceeding the revenue neutral rate under this section, the governing body of the taxing subdivision shall certify, on or before October 1, to the proper county clerk the amount of ad valorem tax to be levied.

(2) If a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and certifies to the county clerk an amount of ad valorem tax to be levied that would result in a tax rate in excess of its revenue neutral rate, the county clerk shall reduce the ad valorem tax to be levied to the amount resulting from such taxing subdivision's revenue neutral rate.

(f) As used in this section:

(1) "Taxing subdivision" means any political subdivision of the state that levies an ad valorem tax on property.

(2) "Revenue neutral rate" means the tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year's total assessed valuation. To calculate the revenue neutral rate, the county clerk shall divide the property tax revenue for such taxing subdivision levied for the previous tax year by the total of all taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply the quotient by 1,000 to express the rate in mills. The revenue neutral rate shall be expressed to the third decimal place.

(g) In the event that a county clerk incurred costs of printing and postage that were not reimbursed pursuant to K.S.A. 2023 Supp. 79-2989, and amendments thereto, such county clerk may seek reimbursement from all taxing subdivisions required to send the notice. Such costs shall be shared proportionately by all taxing subdivisions that were included on the same notice based on the total property tax levied by each taxing subdivision. Payment of such costs shall be due to the county clerk by December 31.

(h) The department of administration or the director of accounts and reports shall make copies of adopted budgets, budget certificates, other budget documents and revenue neutral rate documents available to the public on the department of administration's website on a permanently accessible web page that may be accessed via a conspicuous link to that web page placed on the front page of the department's website. The department of administration or the director of accounts and reports shall also make the following information for each tax year available on such website:

- (1) A list of taxing subdivisions by county;
- (2) whether each taxing subdivision conducted a hearing to consider exceeding its

revenue neutral rate;

- (3) the revenue neutral rate of each taxing subdivision;
- (4) the tax rate resulting from the adopted budget of each taxing subdivision; and
- (5) the percent change between the revenue neutral rate and the tax rate for each taxing subdivision.

Sec. 15. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns*.

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000	\$2,925 plus 6.45% of excess over \$60,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000	3.0% of Kansas taxable income
Over \$30,000	\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000	2.7% of Kansas taxable income
Over \$30,000	\$810 plus 4.8% of excess over \$30,000

(D) For tax years 2015 and 2016:

If the taxable income is:	The tax is:
Not over \$30,000	2.7% of Kansas taxable income
Over \$30,000	\$810 plus 4.6% of excess over \$30,000

(E) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$30,000	2.9% of Kansas taxable income
Over \$30,000 but not over \$60,000	\$870 plus 4.9% of excess over \$30,000
Over \$60,000	\$2,340 plus 5.2% of excess over \$60,000

(F) For tax year years 2018, and all tax years thereafter through 2023:

If the taxable income is:	The tax is:
Not over \$30,000	3.1% of Kansas taxable income
Over \$30,000 but not over \$60,000	\$930 plus 5.25% of excess over \$30,000
Over \$60,000	\$2,505 plus 5.7% of excess over \$60,000

(B) For tax year 2024, and all tax years thereafter:

<u>If the taxable income is:</u>	<u>The tax is:</u>
Not over \$30,000.....	3.1% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$930 plus 5.25% of excess over \$30,000
Over \$60,000.....	\$2,505 plus 5.5% of excess over \$60,000

(2) *All other individuals.*

(A) For tax year 2012:

<u>If the taxable income is:</u>	<u>The tax is:</u>
Not over \$15,000	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000	\$525 plus 6.25% of excess over \$15,000
Over \$30,000	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

<u>If the taxable income is:</u>	<u>The tax is:</u>
Not over \$15,000	3.0% of Kansas taxable income
Over \$15,000	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

<u>If the taxable income is:</u>	<u>The tax is:</u>
Not over \$15,000	2.7% of Kansas taxable income
Over \$15,000	\$405 plus 4.8% of excess over \$15,000

(D) For tax years 2015 and 2016:

<u>If the taxable income is:</u>	<u>The tax is:</u>
Not over \$15,000	2.7% of Kansas taxable income
Over \$15,000	\$405 plus 4.6% of excess over \$15,000

(E) For tax year 2017:

<u>If the taxable income is:</u>	<u>The tax is:</u>
Not over \$15,000	2.9% of Kansas taxable income
Over \$15,000 but not over \$30,000	\$435 plus 4.9% of excess over \$15,000
Over \$30,000	\$1,170 plus 5.2% of excess over \$30,000

(F) For tax year years 2018, and all tax years thereafter through 2023:

<u>If the taxable income is:</u>	<u>The tax is:</u>
Not over \$15,000.....	3.1% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$465 plus 5.25% of excess over \$15,000
Over \$30,000.....	\$1,252.50 plus 5.7% of excess over \$30,000

(B) For tax year 2024, and all tax years thereafter:

<u>If the taxable income is:</u>	<u>The tax is:</u>
Not over \$15,000.....	3.1% of Kansas taxable income

Over \$15,000 but not over \$30,000.....	\$465 plus 5.25% of excess over \$15,000
Over \$30,000.....	\$1,252.50 plus 5.5% of excess over \$30,000

(b) *Nonresident individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows unless otherwise modified pursuant to K.S.A. 2023 Supp. 74-50,321, and amendments thereto:

- (1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and
- (2) the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

(e) Notwithstanding the provisions of subsections (a) and (b) ~~(1) For tax years 2016 and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2), for tax year 2018, and all tax years thereafter, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.~~

~~(f) No taxpayer shall be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.~~

Sec. 16. On and after July 1, 2024, K.S.A. 79-32,111c is hereby amended to read as follows: 79-32,111c. (a) There shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to 12.5% for tax year 2018; an amount equal to 18.75% for tax year 2019; ~~and an amount equal to 25% for tax year~~ years 2020 through 2023; and an amount equal to 100% for tax year 2024, and all tax years thereafter, of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to 26 U.S.C. § 21 for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law.

(c) No credit provided under this section shall be allowed to any individual who fails to provide a valid social security number issued by the social security administration, to such individual, the individual's spouse and every dependent of the individual.

Sec. 17. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the

federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's

employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement

system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and

amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

~~(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and (1) For all taxable years beginning after December 31, 2007, and ending before January 1, 2024, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.~~

(2) For all taxable years beginning after December 31, 2023, amounts received as benefits under the federal social security act that are included in federal adjusted gross income of a taxpayer.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F,

shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income

earned from assets in a first-time home buyer savings account.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 18. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,119 is hereby amended to read as follows: 79-32,119. (a) The Kansas standard deduction of an individual, including a husband and wife who are either both residents or who file a joint return as if both were residents, shall be equal to the sum of the standard deduction amount allowed pursuant to this section, and the additional standard deduction amount allowed pursuant to this section for each such deduction allowable to such individual or to such husband and wife under the federal internal revenue code.

(b) For tax year 1998, and all tax years thereafter, the additional standard deduction amount shall be as follows: Single individual and head of household filing status, \$850; and married filing status, \$700.

~~(c) (1) For tax year 2013 through tax year 2020, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,000; married filing status, \$7,500; and head of household filing status, \$5,500.~~

~~(2) For tax years 2021, and all tax years thereafter through 2023, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,500; married filing status, \$8,000; and head of household filing status, \$6,000.~~

(2) For tax year 2024, and all tax years thereafter, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$5,000; married filing status, \$10,000; and head of household filing status, \$7,500.

(d) For purposes of this section, the federal standard deduction allowable to a husband and wife filing separate Kansas income tax returns shall be determined on the basis that separate federal returns were filed, and the federal standard deduction of a husband and wife filing a joint Kansas income tax return shall be determined on the basis that a joint federal income tax return was filed.

Sec. 19. K.S.A. 2023 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.5%. On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

Within a redevelopment district established pursuant to K.S.A. 74-8921, and

amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project.

Such tax shall be imposed upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of

official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the

operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" means the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or

earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" means only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" means a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" means only those enclosures within which individuals customarily live;

(5) "utility structure" means transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" means straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section;

(w) all sales of charitable raffle tickets in accordance with K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(x) commencing on January 1, 2023, and thereafter, the state rate on the gross receipts from the sale of food and food ingredients shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

Sec. 20. K.S.A. 2023 Supp. 79-3603d is hereby amended to read as follows: 79-3603d. (a) There is hereby levied and there shall be collected and paid a tax upon the

gross receipts from the sale of food and food ingredients. The rate of tax shall be as follows:

- (1) Commencing on January 1, 2023, at the rate of 4%;
- (2) commencing on January 1, 2024, at the rate of 2%; and
- (3) commencing on ~~January 1, 2025~~ July 1, 2024, and thereafter, at the rate of 0%.
- (b) The provisions of this section shall not apply to prepared food unless sold without eating utensils provided by the seller and described below:
 - (1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);
 - (2) (A) food sold in an unheated state by weight or volume as a single item; or
(B) only meat or seafood sold in an unheated state by weight or volume as a single item;
 - (3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or
 - (4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption.
- (c) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 21. K.S.A. 2023 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 22. K.S.A. 2023 Supp. 79-3703 is hereby amended to read as follows: 79-3703. (a) There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%.

(b) Commencing on January 1, 2023, and thereafter, the state rate on the amount equal to the consideration paid by the taxpayer from the sale of food and food ingredients as provided in K.S.A. 79-3603, and amendments thereto, shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

(c) On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

(d) Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project.

(e) All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 23. K.S.A. 2023 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund

created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 24. K.S.A. 2023 Supp. 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 are hereby repealed.

Sec. 25. On and after July 1, 2024, K.S.A. 19-2694, 65-163j, 65-3306, 65-3327, 75-2556, 79-1107, 79-1108, 79-1479, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966, 79-2967 and 79-32,111c and K.S.A. 2023 Supp. 72-5142, 74-8768, 79-201x, 79-2959, 79-2964, 79-2988, 79-32,110, 79-32,117 and 79-32,119 are hereby repealed.";

Also on page 2, in line 22, by striking "statute book" and inserting "Kansas register";
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "sales"; also in line 1, by striking all after "to"; by striking all in line 2; in line 3, by striking all before the period and inserting "income tax; modifying tax rates for individuals; eliminating the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction; increasing the tax credit amount for household and dependent care expenses; relating to privilege tax; decreasing the normal tax rate; relating to property

tax; increasing the extent of exemption for residential property from the statewide school levy; decreasing the rate of ad valorem tax imposed by a school district; abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund and providing for certain transfers to the state school district finance fund; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-1107, 79-1108, 79-1479 and 79-32,111c and K.S.A. 2023 Supp. 72-5142, 74-8768, 79-201x, 79-2988, 79-32,110, 79-32,117, 79-32,119, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 79-2959 and 79-2964";

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

TOM HOLLAND

Conferees on part of Senate

ADAM SMITH

BRIAN BERGKAMP

TOM SAWYER

Conferees on part of House

Senator Masterson moved the Senate adopt the Conference Committee Report on **S Sub HB 2036**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holland.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

I vote "NO" on CCR **HB 2036** for two reasons: 1) Regarding the technical merits of the bill, this bill does very little to address the ever increasing and overly burdensome residential property taxes that northeast Kansans face. Instead, it misguidedly focuses on giving wealthier Kansans income tax relief by focusing on reducing the top marginal Kansas state income tax rate. We need much more residential property tax relief, for ALL Kansas homeowners, than what this CCR provides! 2) Our legislative process is broken! Our tax conference committee conferees, if left unfettered, are more than capable of developing the tax legislation relief that Kansas citizens need and deserve. Unfortunately, the governor and legislative leadership have hijacked the legislative process and have forced the chambers to vote on a CCR that reflects their (and their special interests') desires, not the needs of Kansas citizens.—TOM HOLLAND

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2070** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

SUSAN HUMPHRIES

BOB LEWIS

DAN OSMAN

Conferees on part of House

On motion of Senator Warren the Senate adopted the conference committee report on **S Sub HB 2070**, and requested a new conference be appointed.

The President appointed Senators Warren, Wilborn and Corson as a second Conference Committee on the part of the Senate on **S Sub HB 2070**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2532** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 7 through 35;

By striking all on page 2;

On page 3, by striking all in lines 1 through 38; following line 38, by inserting:

"Section 1. K.S.A. 2023 Supp. 74-8823 is hereby amended to read as follows: 74-8823. (a) There is hereby imposed a tax on the gross sum wagered by the parimutuel method as follows:

(1) Of the total daily takeout from parimutuel pools for live horse races conducted in this state, a tax at the rate of $\frac{3}{18}$;

(2) except as provided by subsection (a)(3), for live greyhound races conducted in this state at a racetrack facility for the racing of only greyhounds:

(A) During the first four years when racing with parimutuel wagering is conducted at such facility, a tax at the rate of $\frac{3}{18}$ of the total daily takeout from parimutuel pools for live greyhound races; and

(B) thereafter, from parimutuel pools for each live greyhound performance, a tax at the rate of $\frac{3}{18}$ of the first \$400,000 wagered, $\frac{4}{18}$ of the next \$200,000 wagered and $\frac{5}{18}$ of any amounts wagered exceeding \$600,000;

(3) for live greyhound races conducted in this state at a dual racetrack facility or at a racetrack facility owned by a licensee whose license authorizes the construction of a dual racetrack facility:

(A) During the first seven years when racing with parimutuel wagering is

conducted at such facility, a tax at the rate of $\frac{3}{18}$ of the total daily takeout from parimutuel pools for live greyhound races; and

(B) thereafter, from parimutuel pools for each live greyhound performance, a tax at the rate of $\frac{3}{18}$ of the first \$600,000 wagered, $\frac{4}{18}$ of the next \$200,000 wagered and $\frac{5}{18}$ of any amounts wagered exceeding \$800,000;

(4) of the total daily takeout from amounts wagered in this jurisdiction on simulcast races displayed in this state, a tax at the rate of $\frac{3}{18}$; and

(5) of the total amount wagered on historical horse races, a tax at the rate of 3%.

(b) The tax imposed by this section shall be no less than 3% nor more than 6% of the total money wagered each day at a racetrack facility.

(c) The tax imposed by this section shall be remitted to the commission by each organization licensee by the next business day following the day on which the wagers took place. The commission shall remit any such tax moneys received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each ~~such~~ remittance made pursuant to subsection (a)(1) through (4), the state treasurer shall deposit the entire amount in the state treasury to the credit of the state racing fund created by K.S.A. 74-8826, and amendments thereto, except as provided by K.S.A. 74-8838, and amendments thereto. Upon receipt of each remittance made pursuant to subsection (a)(5), the state treasurer shall deposit the entire amount in the state treasury and credit $\frac{1}{3}$ of the amount to the Kansas horse breeding development fund created by K.S.A. 74-8829, and amendments thereto, and $\frac{2}{3}$ of the amount to the horse fair racing benefit fund created by K.S.A. 74-8838, and amendments thereto.

(d) The commission shall audit and verify that the amount of tax received from each organization licensee hereunder is correct.

(e) Nothing in this section shall be construed to impose any tax on amounts wagered on electronic gaming machine games operated pursuant to the Kansas expanded lottery act.

Sec. 2. K.S.A. 2023 Supp. 74-8823 is hereby repealed.;

Also on page 3, in line 40, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking "requirements" and inserting "gaming; relating to parimutuel racing; concerning distribution of the tax on amounts wagered on historic horse races"; also in line 3, by striking "12-2620, 44-584 and 44-590" and inserting "2023 Supp. 74-8823"; in line 4, by striking "sections" and inserting "section";

And your committee on conference recommends the adoption of this report.

MICHAEL THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

WILL CARPENTER

TOM KESSLER

JOELLA HOYE

Conferees on part of House

Senator Thompson moved the Senate adopt the Conference Committee Report on **HB 2532**.

On roll call, the vote was: Yeas 34; Nays 3; Present and Passing 2; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Straub, Sykes, Thompson, Ware, Wilborn.

Nays: Francisco, Steffen, Tyson.

Present and Passing: McGinn, Warren.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2560** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 7, by inserting:

"New Section 1. (a) Sections 1 through 42, and amendments thereto, shall be known and may be cited as the Kansas money transmission act.

(b) As used in the Kansas money transmission act:

(1) "Act" means the Kansas money transmission act.

(2) "Acting in concert" means persons knowingly acting together with a common goal of jointly acquiring control of a licensee whether or not pursuant to an express agreement.

(3) "Authorized delegate" means a person designated by a licensee to engage in money transmission on behalf of the licensee.

(4) "Average daily money transmission liability" means the amount of the licensee's outstanding money transmission obligations in Kansas at the end of each day in a given period of time added together and divided by the total number of days in the given period of time. For any licensee required to calculate "average daily money transmission liability" pursuant to this act, the given period of time shall be the calendar quarters ending March 31, June 30, September 30 and December 31.

(5) "Closed loop stored value" means stored value that is redeemable by the issuer only for goods or services provided by the issuer or the issuer's affiliates or franchisees of the issuer or the franchisees's affiliates, except to the extent required by applicable law to be redeemable in cash for its cash value.

(6) "Commissioner" means the state bank commissioner, or a person designated by the state bank commissioner to enforce this act.

(7) "Control" means the power to:

(A) Vote directly or indirectly at least 25% of the outstanding voting shares or voting interests of a licensee or person in control of a licensee;

(B) elect or appoint a majority of key individuals or executive officers, managers, directors, trustees or other persons exercising managerial authority of a person in control of a licensee; or

(C) exercise, directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee.

(8) "Eligible rating" means a credit rating from any of the three highest rating categories provided by an eligible rating service. Each rating category may include rating category modifiers such as plus or minus for Standard & Poor or the equivalent for any other eligible rating service. "Eligible rating" shall be determined as follows:

(A) Long-term credit ratings shall be deemed eligible if the rating is equal to A- or higher by Standard & Poor or the equivalent from any other eligible rating service.

(B) Short-term credit ratings are deemed eligible if the rating is equal to or higher than A-2 or SP-2 by Standard & Poor or the equivalent from any other eligible rating service. If ratings differ among eligible rating services, the highest rating shall apply when determining whether a security bears an eligible rating.

(9) "Eligible rating service" means any nationally recognized statistical rating organization that has been registered by the securities and exchange commission or any organization designated by the commissioner through order or rules and regulations as an eligible rating service.

(10) "Federally insured depository financial institution" means a bank, credit union, savings and loan association, trust company, savings association, savings bank, industrial bank or industrial loan company organized under the laws of the United States or any state of the United States, when such bank, credit union, savings and loan association, trust company, savings association, savings bank, industrial bank or industrial loan company has federally insured deposits.

(11) "In Kansas" means the:

(A) Physical location of a person who is requesting a transaction in person in the state of Kansas; or

(B) person's residential address or the principal place of business for a person requesting a transaction electronically or by telephone if such residential address or principal place of business is in the state of Kansas.

(12) "Individual" means a natural person.

(13) "Key individual" means any individual ultimately responsible for establishing or directing policies and procedures of the licensee, including, but not limited to, an executive officer, manager, director or trustee.

(14) "Licensee" means a person licensed under this act.

(15) "Material litigation" means litigation, that according to United States generally accepted accounting principles, is significant to a person's financial health and would be a required disclosure in the person's annual audited financial statements, report to shareholders or similar records.

(16) "Money" means a medium of exchange that is authorized or adopted by the United States or a foreign government. "Money" includes a monetary unit of account established by an intergovernmental organization or by agreement between two or more governments.

(17) "Monetary value" means a medium of exchange, whether or not redeemable in money.

(18) (A) "Money transmission" means any of the following:

(i) Selling or issuing payment instruments to a person located in Kansas;

(ii) selling or issuing stored value to a person located in Kansas;

(iii) receiving money for transmission from a person located in Kansas; or

(iv) payroll processing services.

(B) "Money transmission" does not include the provision of solely online or telecommunications services or network access.

(19) "Money service business accredited state" means a state agency that is accredited by the conference of state bank supervisors and money transmitter regulators association for money transmission licensing and supervision.

(20) "Multistate licensing process" means any agreement entered into by state regulators relating to coordinated processing of applications for money transmission licenses, applications for the acquisition of control of a licensee, control determinations or notice and information requirements for a change of key individuals.

(21) "Nationwide multistate licensing system and registry" means a licensing system developed by the conference of state bank supervisors and the American association of residential mortgage regulators and owned and operated by the state regulatory registry, limited liability company or any successor or affiliated entity for the licensing and registration of persons in financial services industries.

(22) (A) "Outstanding money transmission obligation" means:

(i) Any payment instrument or stored value issued or sold by the licensee to a person located in the United States or reported as sold by an authorized delegate of the licensee to a person that is located in the United States that has not yet been paid or refunded by or for the licensee or escheated in accordance with applicable abandoned property laws; or

(ii) any money received for transmission by the licensee or an authorized delegate in the United States from a person located in the United States that has not been received by the payee or refunded to the sender or escheated in accordance with applicable abandoned property laws.

(B) "In the United States" includes a person in any state, territory or possession of the United States, the District of Columbia, the commonwealth of Puerto Rico or a United States military installation that is located in a foreign country.

(23) "Passive investor" means a person that:

(A) Does not have the power to elect a majority of key individuals or executive officers, managers, directors, trustees or other persons exercising managerial authority of a person in control of a licensee;

(B) is not employed by and does not have any managerial duties of the licensee or person in control of a licensee; or

(C) does not have the power to exercise, directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee; and

(D) (i) Either attests to subparagraphs (A), (B) and (C) in a form and in a manner prescribed by the commissioner; or

(ii) commits to the passivity characteristics of subparagraphs (A), (B) and (C) in a written document.

(24) (A) "Payment instrument" means a written or electronic check, draft, money order, traveler's check or other written or electronic instrument for the transmission or payment of money or monetary value, regardless of negotiability.

(B) "Payment instrument" does not include stored value or any instrument that is:

(i) Redeemable by the issuer only for goods or services provided by the issuer or the issuer's affiliate or franchisees of the issuer or the franchisees' affiliate, except to the

extent required by applicable law to be redeemable in cash for its cash value; or

(ii) not sold to the public but issued and distributed as part of a loyalty, rewards or promotional program.

(25) "Payroll processing services" means the receipt of money for transmission pursuant to a contract with a person to deliver wages or salaries, make payment of payroll taxes to state and federal agencies, make payments relating to employee benefit plans or make distributions of other authorized deductions from wages or salaries. "Payroll processing services" does not include an employer performing payroll processing services on the employer's own behalf or on behalf of an affiliate.

(26) "Person" means any individual, general partnership, limited partnership, limited liability company, corporation, trust, association, joint stock corporation or other corporate entity identified or recognized by the commissioner.

(27) "Receiving money for transmission" or "money received for transmission" means the receipt of money or monetary value in the United States for transmission within or outside the United States by electronic or other means.

(28) "Stored value" means monetary value representing a claim against the issuer evidenced by an electronic or digital record and that is intended and accepted for use as a means of redemption for money or monetary value or payment for goods or services. "Stored value" includes, but is not limited to, prepaid access as defined by 31 C.F.R. § 1010.100. "Stored value" does not include a payment instrument or closed loop stored value or stored value not sold to the public but issued and distributed as part of a loyalty, rewards or promotional program.

(29) "Tangible net worth" means the aggregate assets of a licensee excluding all intangible assets, less liabilities, as determined in accordance with United States generally accepted accounting principles.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 2. (a) This act does not apply to:

(1) An operator of a payment system to the extent that such operator provides processing, clearing or settlement services between persons exempted under this subsection or licensees in connection with wire transfers, credit card transactions, debit card transactions, stored value transactions, automated clearing house transfers or similar funds transfers.

(2) A person appointed as an agent of a payee to collect and process a payment from a payor to the payee for goods or services other than money transmission provided to the payor by the payee if:

(A) A written agreement exists between the payee and the agent directing the agent to collect and process payments from payors on the payee's behalf;

(B) the payee holds the agent out to the public as accepting payments for goods or services on the payee's behalf; and

(C) payment for the goods and services is treated as received by the payee upon receipt by the agent so that the payor's obligation is extinguished and there is no risk of loss to the payor if the agent fails to remit the funds to the payee.

(3) A person that acts as an intermediary by processing payments between an entity that has directly incurred an outstanding money transmission obligation to a sender and the sender's designated recipient, if the entity:

(A) Is properly licensed or exempt from licensing requirements under this act;

(B) provides a receipt, electronic record or other written confirmation to the sender

identifying the entity as the provider of money transmission in the transaction; and

(C) bears sole responsibility to satisfy the outstanding money transmission obligation to the sender, including the obligation to make the sender whole in connection with any failure to transmit the funds to the sender's designated recipient.

(4) The United States government and any agency, bureau, department, office or instrumentality, corporate or otherwise, thereof, including any official, employee or agent of any such entity.

(5) Money transmission by the United States postal service or by an agent of the United States postal service.

(6) Any state office or officer, department, board, commission, bureau, division, authority, agency or institution of this state, including any political subdivision thereof, and any county, city or other municipality.

(7) A federally insured depository financial institution, bank holding company, office of an international banking corporation, foreign bank that establishes a federal branch pursuant to 12 U.S.C. § 3102, a corporation organized pursuant to 12 U.S.C. §§ 1861 through 1867 or a corporation organized under 12 U.S.C. §§ 611 through 633.

(8) Electronic funds transfer of governmental benefits for a federal, state, county or governmental agency by a contractor on behalf of the United States or a department, agency or instrumentality thereof or on behalf of a state or governmental subdivision, agency or instrumentality thereof.

(9) A board of trade designated as a contract market under 7 U.S.C. §§ 1 through 25 or a person that in the ordinary course of business provides clearance and settlement services for a board of trade to the extent of the board of trade's operation as or for such a board.

(10) A futures commission merchant registered under federal commodities law to the extent of the registrant's operation as such a futures commission merchant.

(11) A person registered as a securities broker-dealer under federal or state securities law to the extent of such registrant's operation as such a securities broker-dealer.

(12) An individual employed by a licensee, authorized delegate or any person exempted from the licensing requirements of the act when acting within the scope of employment and under the supervision of the licensee, authorized delegate or exempted person as an employee and not as an independent contractor.

(13) A person expressly appointed as a third-party service provider to or agent of an entity exempt under paragraph (a)(6) solely to the extent that:

(A) Such service provider or agent is engaging in money transmission on behalf of and pursuant to a written agreement with the exempt entity that sets forth the specific functions that the service provider or agent is to perform; and

(B) the exempt entity assumes all risk of loss and all legal responsibility for satisfying the outstanding money transmission obligations owed to purchasers and holders of the outstanding money transmission obligations upon receipt of the purchaser's or holder's money or monetary value by the service provider or agent.

(14) A person engaging in the practice of law, bookkeeping, accounting, real estate sales or brokerage.

(15) A person appointed as an agent of a payor for purposes of providing payroll processing services for which such agent would otherwise need to be licensed if:

(A) There is a written agreement between the payor and the agent that directs the

agent to provide payroll processing services on the payor's behalf;

(B) the payor holds the agent out to employees and other payees as providing payroll processing services on the payor's behalf; and

(C) the payor's obligation to a payee, including an employee or any other party entitled to receive funds via the payroll processing services provided by the agent, is not extinguished if such agent fails to remit such funds to the payee.

(16) A person exempt by any rules or regulations adopted or by an order issued if the commissioner finds such exemption to be in the public interest and that the regulation of such person is not necessary for the purposes of this act.

(b) The commissioner may require that any person claiming to be exempt from licensing pursuant to this section provide information and documentation to the commissioner demonstrating that such person qualifies for any claimed exemption.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 3. (a) To carry out the purposes of this act, the commissioner may:

(1) Enter into agreements or relationships with other government officials or federal and state regulatory agencies and regulatory associations to improve efficiencies and reduce regulatory burden by standardizing methods or procedures and sharing resources, records or related information obtained under this act;

(2) use, hire, contract or employ analytical systems, methods or software to examine or investigate any person subject to this act;

(3) accept from other state or federal government agencies or officials, licensing, examination or investigation reports made by such other state or federal government agencies or officials; and

(4) accept audit reports made by an independent certified public accountant or other qualified third-party auditor for an applicant or licensee and incorporate the audit report in any report of examination or investigation.

(b) The commissioner shall have the broad administrative authority to administer, interpret and enforce this act, promulgate rules and regulations necessary to implement this act and set proportionate and equitable fees and costs associated with applications, examinations, investigations and other actions required to provide sufficient funds to meet the budget requirements of administering and enforcing the act for each fiscal year and to achieve the purposes of this act.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 4. (a) (1) Except as otherwise provided in subsection (b), all information or reports obtained by the commissioner from an applicant, licensee or authorized delegate and all information contained in or related to an examination, investigation, operating report or condition report prepared by, on behalf of or for the use of the commissioner or financial statements, balance sheets or authorized delegate information, are confidential and are not subject to disclosure under the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto.

(2) The provisions of this subsection providing for the confidentiality of public records shall expire on July 1, 2030, unless the legislature reviews and reenacts such provisions in accordance with K.S.A. 45-229, and amendments thereto, prior to July 1, 2030.

(b) The commissioner may disclose information not otherwise subject to disclosure under subsection (a) to representatives of state or federal agencies who promise in a record that such representatives will maintain the confidentiality of the information or

where the commissioner finds that the release is reasonably necessary for the protection and interest of the public in accordance with the Kansas open records act.

(c) The following information contained in the records of the office of the state bank commissioner that is not confidential and may be made available to the public:

(1) The name, business address, telephone number and unique identifier of a licensee;

(2) the business address of a licensee's registered agent for service;

(3) the name, business address and telephone number of all authorized delegates;

(4) the terms of or a copy of any bond filed by a licensee, provided that confidential information, including, but not limited to, prices and fees for such bond is redacted; or

(5) copies of any orders of the office of the state bank commissioner relating to any violation of this act or regulations implementing this act.

(d) This section shall not be construed to prohibit the commissioner from disclosing to the public a list of all licensees or the aggregated financial or transactional data concerning those licensees.

(e) This section shall take effect on and after January 1, 2025.

New Sec. 5. (a) The commissioner may conduct an examination or investigation of a licensee or authorized delegate or otherwise take independent action authorized by this act or by any rules and regulations adopted or an order issued under this act as reasonably necessary or appropriate to administer and enforce this act, regulations implementing this act and other applicable federal law. The commissioner may:

(1) Conduct an examination on-site or off-site as the commissioner may reasonably require;

(2) conduct an examination in conjunction with an examination conducted by representatives of other state agencies, agencies of another state or the federal government;

(3) accept the examination report of another state agency or an agency of another state or the federal government or a report prepared by an independent accounting firm, which, on being accepted, is considered for all purposes as an official report of the commissioner; and

(4) summon and examine under oath or subpoena a key individual or employee of a licensee or authorized delegate and require such individual or employee to produce records regarding any matter related to the condition and business of the licensee or authorized delegate.

(b) A licensee or authorized delegate shall provide the commissioner with full and complete access to all records the commissioner may reasonably require to conduct a complete examination. The records shall be provided at the location and in the format specified by the commissioner. The commissioner may utilize multistate record production standards and examination procedures when such standards will reasonably achieve the requirements of this section.

(c) Unless otherwise directed by the commissioner, a licensee shall pay all costs reasonably incurred in connection with an examination of the licensee or the licensee's authorized delegates.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 6. (a) To administer and enforce the provisions of this act and minimize the regulatory burden, the commissioner is hereby authorized to participate in multistate supervisory processes established between states and coordinated through the

conference of state bank supervisors, money transmitter regulators associations and affiliates and successors thereof for all licensees that hold licenses in Kansas or other states. As a participant in such established multistate supervisory processes, the commissioner may:

(1) Cooperate, coordinate and share information with other state and federal regulators in accordance with section 5, and amendments thereto;

(2) enter into written cooperation, coordination or information-sharing contracts or agreements with organizations, the membership of which is made up of state or federal governmental agencies; and

(3) cooperate, coordinate and share information with organizations, the membership of which is made up of state or federal governmental agencies, if the organizations agree in writing to maintain the confidentiality and security of the shared information in accordance with section 4, and amendments thereto.

(b) The commissioner shall not waive, and nothing in this section shall constitute a waiver of, the commissioner's authority to conduct an examination or investigation or otherwise take independent action authorized by this act or rules and regulations adopted or an order issued under this act to enforce compliance with applicable state or federal law.

(c) A joint examination or investigation or acceptance of an examination or investigation report shall not be construed to waive an examination assessment provided for in this act.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 7. (a) If the jurisdiction of state money transmission is conditioned on federal law, any inconsistencies between a provision of this act and such federal law governing money transmission shall be governed by the applicable federal law to the extent of such inconsistency.

(b) If there are any inconsistencies between this act and any federal law that governs pursuant to subsection (a), the commissioner may provide interpretive guidance that identifies the:

(1) Inconsistency; and

(2) appropriate means of compliance with federal law.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 8. (a) A person may not engage in the business of money transmission or advertise, solicit or hold itself out as providing money transmission unless the person is licensed under this act.

(b) Subsection (a) shall not apply to a person that is:

(1) An authorized delegate of a person licensed under this act acting within the scope of authority conferred by a written contract with the licensee; or

(2) exempt pursuant to section 2, and amendments thereto, and does not engage in money transmission outside the scope of such exemption.

(c) A license issued pursuant to section 13, and amendments thereto, shall not be transferable or assignable.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 9. (a) To establish consistent licensing practices between Kansas and other states, the commissioner is hereby authorized to:

(1) Implement all licensing provisions of this act in a manner consistent with other states that have adopted this act or multistate licensing processes; and

(2) participate in nationwide protocols for licensing cooperation and coordination among state regulators, if such protocols are consistent with this act.

(b) The commissioner is authorized to establish relationships or contracts with the national multistate licensing system and registry or other entities designated by the national multistate licensing system and registry to:

- (1) Collect and maintain records;
- (2) coordinate multistate licensing processes and supervision processes;
- (3) process fees; and
- (4) facilitate communication between the commissioner and licensees or other persons subject to this act.

(c) The commissioner may utilize the nationwide multistate licensing system and registry for all aspects of licensing in accordance with this act, including, but not limited to, license applications, applications for acquisitions of control, surety bonds, reporting, criminal history background checks, credit checks, fee processing and examinations.

(d) The commissioner may utilize nationwide multistate licensing system and registry forms, processes and functionalities in accordance with this act. If the nationwide multistate licensing system and registry does not provide functionality, forms or processes for the provision of this act, the commissioner is authorized to implement the requirements in a manner that facilitates uniformity regarding the licensing, supervision, reporting and regulation of licensees that are licensed in multiple jurisdictions.

(e) The commissioner may establish new requirements or waive or modify, in whole or in part, any or all of the existing requirements as reasonably necessary to participate in the nationwide multistate licensing system and registry through the adoption of any rules and regulations adopted or an order issued or the issuance of an order.

(f) This section shall take effect on and after January 1, 2025.

New Sec. 10. (a) Applicants for a license shall submit a completed application in a form and manner as prescribed by the commissioner. Each such application shall contain content as set forth by rules and regulations, instruction or procedure of the commissioner and may be changed or updated by the commissioner in accordance with applicable law to carry out the purposes of this act and maintain consistency with nationwide multistate licensing system and registry licensing standards and practices. The application shall state or contain, as applicable:

(1) The legal name and any fictitious or trade name used by the applicant in conducting business and the residential and business addresses of the applicant;

(2) a list of any criminal convictions of the applicant and any material litigation in which the applicant was involved in the 10-year period immediately preceding the submission of the application;

(3) a description of any money transmission services previously provided by the applicant and the money transmission services the applicant seeks to provide in Kansas;

(4) a list of the applicant's proposed authorized delegates and the locations in Kansas where the applicant and the applicant's authorized delegates propose to engage in money transmission;

(5) a list of all other states where the applicant is licensed to engage in money transmission and any license revocations, suspensions or other disciplinary action taken

against the applicant in other states;

(6) information concerning any bankruptcy or receivership proceedings affecting the licensee or a person in control of a licensee;

(7) a sample form of the contract for authorized delegates, if applicable;

(8) a sample form of the payment instrument or stored value, as applicable;

(9) the name and address of any federally insured depository financial institution through which the applicant plans to conduct money transmission; and

(10) any other information the commissioner or the nationwide multistate licensing system and registry reasonably requires regarding the applicant.

(b) If an applicant is a corporation, limited liability company, partnership or other legal entity, the applicant shall also provide:

(1) The date of the applicant's incorporation or formation and state or country of incorporation or formation;

(2) a certificate of good standing from the state or country where the applicant is incorporated or formed, if applicable;

(3) a brief description of the business structure or organization of the applicant, including any parents or subsidiaries of the applicant and whether any such parents or subsidiaries are publicly traded;

(4) the legal name, any fictitious or trade name, all business and residential addresses and the employment, as applicable, for the 10-year period immediately preceding the submission of the application for each key individual and person in control of the applicant;

(5) for any person in control of the applicant, a list of any felony convictions and for the 10-year period immediately preceding the submission of the application, a list of any criminal misdemeanor convictions of a crime of dishonesty, fraud or deceit and any material litigation in which the person involved is in control of an applicant that is not an individual;

(6) a copy of the applicant's audited financial statements for the most recent fiscal year and for the two-year period immediately preceding the most recent fiscal year or, if acceptable to the commissioner, certified unaudited financial statements for the most recent fiscal year or other period acceptable to the commissioner;

(7) a certified copy of the applicant's unaudited financial statements for the most recent fiscal quarter;

(8) if the applicant is a publicly traded corporation, a copy of the most recent report filed with the securities and exchange commission pursuant to 15 U.S.C. § 78m;

(9) if the applicant is a wholly owned subsidiary of:

(A) a corporation publicly traded in the United States, a copy of the parent corporation's audited financial statements for the most recent fiscal year or a copy of the parent corporation's most recent financial report filed with the securities and exchange commission pursuant to 15 U.S.C. § 78m; or

(B) a corporation publicly traded outside the United States, a copy of documentation similar to the requirements of paragraph (A) filed with the regulator of the parent corporation's domicile outside the United States;

(10) the name and address of the applicant's registered agent in Kansas; and

(11) any other information that the commissioner reasonably requires regarding the applicant.

(c) The commissioner shall set a nonrefundable new application fee each year

pursuant to section 3(b), and amendments thereto.

(d) The commissioner may waive one or more requirements of subsections (a) or (b) or permit an applicant to submit other information in lieu of the required information.

(e) This section shall take effect on and after January 1, 2025.

New Sec. 11. (a) As a part of any original application, any individual in control of a licensee, any applicant in control of a licensee and each key individual shall provide the commissioner with the following items through the nationwide multistate licensing system and registry:

(1) (A) The office of the state bank commissioner may require an individual to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the individual and to determine whether such individual has a record of criminal history in this state or other jurisdictions. The office of the state bank commissioner is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The office of the state bank commissioner may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the individual and in the official determination of the qualifications and fitness of the individual to be issued or to maintain a license;

(B) Local and state law enforcement officers and agencies shall assist the office of the state bank commissioner in taking and processing of fingerprints of applicants for and holders of any license, registration, permit or certificate;

(C) The Kansas bureau of investigation shall release all records of adult convictions and nonconvictions in Kansas and adult convictions, adjudications and nonconvictions of another state or country to the office of the state bank commissioner. Disclosure or use of any information received for any purpose other than provided in this section shall be a class A misdemeanor and shall constitute grounds for removal from office or termination of employment; and

(D) Any individual that currently resides and has continuously resided outside of the United States for the past 10 years shall not be required to comply with this subsection; and

(2) a description of the individual's personal history and experience provided in a form and manner prescribed by the commissioner to obtain the following:

(A) An independent credit report from a consumer reporting agency. This requirement shall be waived if the individual does not have a social security number;

(B) information related to any criminal convictions or pending charges; and

(C) information related to any regulatory or administrative action and any civil litigation involving claims of fraud, misrepresentation, conversion, mismanagement of funds, breach of fiduciary duty or breach of contract.

(b) (1) If the individual has resided outside of the United States at any time during the 10-year period immediately preceding the individual's application, the individual shall also provide an investigative background report prepared by an independent search firm.

(2) At a minimum, the search firm shall:

(A) Demonstrate that it has sufficient knowledge and resources and that such firm employs accepted and reasonable methodologies to conduct the research of the background report; and

(B) not be affiliated with or have an interest with the individual it is researching.

(3) The investigative background report shall be provided in English and, at a minimum, shall contain the following:

(A) A comprehensive credit report or any equivalent information obtained or generated by the independent search firm to accomplish such report, including a search of the court data in the countries, provinces, states, cities, towns and contiguous areas where the individual resided and worked if such report is available in the individual's current jurisdiction of residency;

(B) criminal records information for the 10-year period immediately preceding the individual's application, including, but not limited to, felonies, misdemeanors or similar convictions for violations of law in the countries, provinces, states, cities, towns and contiguous areas where the individual resided and worked;

(C) employment history;

(D) media history including an electronic search of national and local publications, wire services and business applications; and

(E) financial services-related regulatory history, including, but not limited to, money transmission, securities, banking, insurance and mortgage-related industries.

(c) Any information required by this section may be used by the commissioner in making an official determination of the qualifications and fitness of the person in control or who seeks to gain control of the licensee.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 12. (a) A person is presumed to exercise a controlling influence when such person holds the power to vote, directly or indirectly, at least 10% of the outstanding voting shares or voting interests of a licensee or person in control of a licensee.

(b) A person presumed to exercise a controlling influence pursuant to this section may rebut the presumption of control if the person is a passive investor.

(c) For purposes of determining the percentage of a person controlled by any individual, the individual's interest shall be aggregated with the interest of any other immediate family member, including the individual's spouse, parents, children, siblings, mothers-in-law and fathers-in-law, sons-in-law and daughters-in-law, brothers-in-law and sisters-in-law and any other person who shares such individual's home.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 13. (a) (1) When an application for an original license under this act appears to include all the items and addresses all of the matters that are required, the application shall be deemed complete, and the commissioner shall promptly notify the applicant of the date the application is deemed complete. The commissioner shall approve or deny the application within 120 days after the completion date.

(2) If the application has not been approved or denied within 120 days after the completion date:

(A) The application shall be considered approved; and

(B) the license shall take effect as of the first business day after expiration of the 120-day period.

(3) The commissioner may extend the application period for good cause.

(b) A determination by the commissioner that an application is complete and accepted for processing means that the application, on its face, appears to include all of the items, including the criminal history background check response from the Kansas

bureau of investigation and that such application addresses all of the matters that are required. A determination of completion by the commissioner shall not be deemed to be an assessment of the substance of the application or of the sufficiency of the information provided.

(c) When an application is filed and considered complete under this section, the commissioner shall investigate the applicant's financial condition and responsibility, financial and business experience, character and general fitness. The commissioner may conduct an on-site investigation of the applicant at the applicant's expense. The commissioner shall issue a license to an applicant under this section if the commissioner finds that the following conditions have been fulfilled:

(1) The applicant has complied with sections 10 and 11, and amendments thereto; and

(2) the financial condition and responsibility, financial and business experience, competence, character and general fitness of the applicant and key individuals and persons in control of the applicant indicate that it is in the interest of the public to permit the applicant to engage in money transmission.

(d) If an applicant avails itself or is otherwise subject to a multistate licensing process:

(1) The commissioner is hereby authorized to accept the investigation results of a lead investigative state to satisfy the requirements of subsection (c) if such lead investigative state has sufficient staffing, expertise and minimum standards; or

(2) if Kansas is the lead investigative state, the commissioner is hereby authorized to investigate the applicant pursuant to subsection (c) utilizing the timeframes established by agreement through the multistate licensing process. No such timeframes shall be considered noncompliant with the application period in subsection (a)(1).

(e) The commissioner shall issue a formal written notice of the denial of a license application within 14 days of the decision to deny the application. The commissioner shall state in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied by the commissioner under this subsection may appeal within 14 days of receiving the notice and request a hearing in accordance with the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto.

(f) The initial license term shall begin on the day the application is approved. The license shall expire on December 31 of the year in which the license term began, unless the initial license date is between November 1 and December 31, in which case the initial license term shall run through December 31 of the following year.

(g) This section shall take effect on and after January 1, 2025.

New Sec. 14. (a) (1) A license issued under this act shall be renewed annually.

(2) An annual renewal fee set by the commissioner shall be paid not more than 60 days before the license expiration.

(3) The renewal term shall be for a period of one year and shall begin on January 1 of each year after the initial license term and shall expire on December 31 of the year the renewal term begins.

(b) A licensee shall submit a complete renewal report with the renewal fee, in a form and manner determined by the commissioner. The renewal report shall contain a description of each material change in information submitted by the licensee in the licensee's original license application that has not been reported to the commissioner.

(c) Renewal applications received within 30 days of the expiration of the license and incomplete applications as of 30 days prior to the expiration of the license shall be subject to a late fee set by the commissioner.

(d) The commissioner may grant an extension of the renewal date for good cause.

(e) The commissioner is hereby authorized to utilize the nationwide multistate licensing system and registry to process license renewals, if such utilization satisfies the requirements of this section.

(f) Renewal applications submitted between November 1, 2024 and December 31, 2024, considered complete pursuant to K.S.A. 9-509, and amendments thereto, shall be considered complete under this section.

(g) This section shall take effect on and after January 1, 2025.

New Sec. 15. (a) If a licensee does not continue to meet the qualifications or satisfy the requirements of an applicant for a new money transmission license, the commissioner may suspend or revoke the licensee's license in accordance with the procedures established by this act or other applicable state law for such suspension or revocation.

(b) An applicant for a money transmission license shall demonstrate that such applicant meets or will meet and a money transmission licensee shall at all times meet, the requirements of sections 32, 33 and 34, and amendments thereto.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 16. (a) The commissioner shall have the discretion to determine the completeness of any application submitted pursuant to this act. In making such a determination, the commissioner shall consider the applicant's compliance with the requirements of the act and any other facts and circumstances that the commissioner deems appropriate.

(b) If an applicant fails to complete the application for a new license or for a change of control of a license within 60 days after the commissioner provides written notice of the incomplete application, the application will be deemed abandoned and the application fee shall be nonrefundable. An applicant whose application is abandoned under this section may reapply to obtain a new license.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 17. (a) When any person or group of persons acting in concert are seeking to acquire control of a licensee, the licensee shall obtain the written approval of the commissioner prior to the change of control. An individual is not deemed to acquire control of a licensee and is not subject to this section when that individual becomes a key individual in the ordinary course of business.

(b) A person or group of persons acting in concert that seeks to acquire control of a licensee in cooperation with such licensee shall submit an application in the form and manner prescribed by the commissioner. Such application shall be accompanied by a nonrefundable fee set by the commissioner.

(c) Upon request, the commissioner may permit a licensee, the person or group of persons acting in concert to submit some or all information required by the commissioner pursuant to subsection (b) without using the nationwide multistate licensing system and registry.

(d) The application required by subsection (b) shall include all information required by section 11, and amendments thereto, for any new key individuals who have not previously completed the requirements of section 11, and amendments thereto, for a

licensee.

(e) (1) When an application for acquisition of control under this section appears to include all the items and addresses all of the matters that are required, the application shall be deemed complete and the commissioner shall promptly notify the applicant of the date on which the application was so deemed, and the commissioner shall approve or deny the application within 60 days after the completion date.

(2) If the application is not approved or denied within 60 days after the completion date:

(A) The application shall be deemed approved; and

(B) the person or group of persons acting in concert shall not be prohibited from acquiring control.

(3) The commissioner may extend the application period for good cause.

(f) A determination by the commissioner that an application is complete and is accepted for processing means only that the application, on its face, appears to include all of the items and addresses all of the matters that are required. A determination of completion by the commissioner shall not be deemed to be an assessment of the substance of the application or of the sufficiency of the information provided.

(g) When an application is filed and considered complete under subsection (e), the commissioner shall investigate the financial condition and responsibility, financial and business experience, character and general fitness of the person or group of persons acting in concert who seek to acquire control. The commissioner shall approve an acquisition of control pursuant to this section if the commissioner finds that all of the following conditions have been fulfilled:

(1) The requirements of subsections (b) and (d) have been met, as applicable; and

(2) the financial condition and responsibility, financial and business experience, competence, character and general fitness of the person or group of persons acting in concert seeking to acquire control and the key individuals and persons that would be in control of the licensee after the acquisition of control indicate that it is in the interest of the public to permit the person or group of persons acting in concert to control the licensee.

(h) If an applicant avails itself or is otherwise subject to a multistate licensing process:

(1) The commissioner shall be authorized to accept the investigation results of a lead investigative state for the purposes of subsection (g) if the lead investigative state has sufficient staffing, expertise and minimum standards; or

(2) if Kansas is a lead investigative state, the commissioner shall be authorized to investigate the applicant pursuant to subsection (g) and the timeframes established by agreement through the multistate licensing process.

(i) The commissioner shall issue a formal written notice of the denial of an application to acquire control within 30 days of the decision to deny the application. The commissioner shall state in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied by the commissioner under this subsection may appeal within 14 days and request a hearing in accordance with the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto.

(j) The requirements of subsections (a) and (b) shall not apply to any of the following:

(1) A person that acts as a proxy for the sole purpose of voting at a designated

meeting of the shareholders or holders of voting shares or voting interests of a licensee or a person in control of a licensee;

(2) a person that acquires control of a licensee by devise or descent;

(3) a person that acquires control of a licensee as a personal representative, custodian, guardian, conservator or trustee or as an officer appointed by a court of competent jurisdiction or by operation of law;

(4) a person that is exempt under subsection (l);

(5) a person that the commissioner determines is not subject to subsection (a) based on the public interest;

(6) a public offering of securities of a licensee or a person in control of a licensee; or

(7) an internal reorganization of a person in control of the licensee if the ultimate person in control of the licensee remains the same.

(k) Persons meeting the requirements of subsections (j)(2), (j)(3), (j)(4), (j)(6) or (j)(7) in cooperation with the licensee shall notify the commissioner within 15 days after the acquisition of control.

(l) (1) The requirements of subsections (a) and (b) shall not apply to a person that has complied with and received approval to engage in money transmission under this act or was identified as a person in control in a prior application filed with and approved by the commissioner or by a money service business-accredited state pursuant to a multistate licensing process, if:

(A) The person has not had a license revoked or suspended or controlled a licensee that has had a license revoked or suspended while the person was in control of the licensee in the previous five years;

(B) the person is a licensee, such person is well managed and has received at least a satisfactory rating for compliance at such person's most recent examination by an money service business accredited state if such rating was given;

(C) the licensee to be acquired is expected to meet the requirements of sections 32, 33 and 34, and amendments thereto, after the acquisition of control is completed. If the person acquiring control is a licensee, such licensee shall also be expected to meet the requirements of sections 32, 33 and 34, and amendments thereto, after the acquisition of control is completed;

(D) the licensee to be acquired shall not implement any material changes to such licensee's business plan as a result of the acquisition of control. If the person acquiring control is a licensee, such licensee shall not implement any material changes to such licensee's business plan as a result of the acquisition of control; and

(E) the person provides notice of the acquisition in cooperation with the licensee and attests to the provisions of this subsection in a form and manner prescribed by the commissioner.

(2) If the notice is not disapproved within 30 days after the date on which the notice was determined to be complete, the notice shall be deemed approved.

(m) Before filing an application for approval to acquire control of a licensee, a person may request in writing a determination from the commissioner as to whether such person would be considered a person in control of a licensee upon consummation of a proposed transaction. If the commissioner determines that the person would not be a person in control of a licensee, the person and the proposed transaction shall not be subject to the requirements of subsections (a) and (b).

(n) If a multistate licensing process includes a determination pursuant to subsection (m) and an applicant avails itself or is otherwise subject to the multistate licensing process:

(1) The commissioner is hereby authorized to accept the control determination of a lead investigative state with sufficient staffing, expertise and minimum standards for the purpose of subsection (m); or

(2) if Kansas is a lead investigative state, the commissioner is hereby authorized to investigate the applicant pursuant to subsection (m) and the timeframes established by agreement through the multistate licensing process.

(o) This section shall take effect on and after January 1, 2025.

New Sec. 18. (a) A licensee adding or replacing a key individual shall provide:

(1) Notice in the manner prescribed by the commissioner within 15 days after the effective date of the appointment of the new key individual; and

(2) information as required by section 10, and amendments thereto, within 45 days of the effective date of the appointment of the new key individual.

(b) Within 90 days of the date on which the notice provided pursuant to subsection (a) was determined to be complete, the commissioner may issue a notice of disapproval of a key individual if the competence, experience, character or integrity of the individual would not be in the best interests of the public or the customers of the licensee to permit the individual to be a key individual of such licensee.

(c) A notice of disapproval shall state the basis for disapproval and shall be sent to the licensee and the disapproved individual. A licensee may appeal a notice of disapproval pursuant to the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, within 14 days.

(d) If the notice provided pursuant to subsection (a) is not disapproved within 90 days after the date when the notice was determined to be complete, the key individual shall be deemed approved.

(e) If a multistate licensing process includes a key individual notice review and disapproval process pursuant to this section and the licensee avails itself or is otherwise subject to the multistate licensing process:

(1) The commissioner is hereby authorized to accept the determination of another state if the investigating state has sufficient staffing, expertise and minimum standards for the purpose of this section; or

(2) if Kansas is a lead investigative state, the commissioner is authorized to investigate the applicant pursuant to subsection (b) and the timeframes established by agreement through the multistate licensing process.

(f) This section shall take effect on and after January 1, 2025.

New Sec. 19. (a) Every licensee shall submit a report of condition within 45 days of the end of the calendar quarter or within any extended time as the commissioner may prescribe.

(b) The report of condition shall include:

(1) Financial information at the licensee level;

(2) nationwide and state-specific money transmission transaction information in every jurisdiction in the United States where the licensee is licensed to engage in money transmission;

(3) the permissible investments report;

(4) transaction destination country reporting for money received for transmission, if

applicable; and

(5) any other information the commissioner reasonably requires regarding the licensee.

(c) The commissioner may utilize the nationwide multistate licensing system and registry for the submission of the report required by subsection (a) and is authorized to change or update as necessary the requirements of this section to carry out the purposes of this act and maintain consistency with nationwide multistate licensing system and registry reporting.

(d) The information required by subsection (b)(4) shall only be included in a report of condition submitted within 45 days of the end of the fourth calendar quarter.

(e) This section shall take effect on and after January 1, 2025.

New Sec. 20. (a) Within 90 days after the end of each fiscal year or within any extended time as the commissioner may prescribe through rules and regulations, every licensee shall file with the commissioner:

(1) An audited financial statement of the licensee for the fiscal year prepared in accordance with United States generally accepted accounting principles; and

(2) any other information as the commissioner may reasonably require.

(b) The audited financial statements shall be prepared by an independent certified public accountant or independent public accountant who has been deemed satisfactory by the commissioner.

(c) The audited financial statements shall include or be accompanied by a certificate of opinion of the independent certified public accountant or independent public accountant in a form and manner determined by the commissioner. If the certificate or opinion is qualified, the commissioner may order the licensee to take any action as the commissioner may find necessary to enable the independent certified public accountant or independent public accountant to remove the qualification.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 21. (a) Each licensee shall submit a report of authorized delegates within 45 days of the end of each calendar quarter. The commissioner is authorized to utilize the nationwide multistate licensing system and registry for the submission of the report required by this subsection if such utilization is consistent with the requirements of this section.

(b) The authorized delegate report shall include, at a minimum, each authorized delegate's:

(1) Company legal name;

(2) taxpayer employer identification number;

(3) principal provider identifier;

(4) physical address;

(5) mailing address;

(6) any business conducted in other states;

(7) any fictitious or trade name;

(8) contact person's name, phone number and email;

(9) start date as the licensee's authorized delegate;

(10) end date acting as the licensee's authorized delegate, if applicable; and

(11) any other information the commissioner reasonably requires regarding the authorized delegate.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 22. (a) A licensee shall file a report with the commissioner within one business day after the licensee has reason to know of the:

(1) Filing of a bankruptcy or reorganization petition by or against the licensee;
 (2) filing of a petition by or against the licensee for receivership, the commencement of any other judicial or administrative proceeding for the licensee's dissolution or reorganization or the making of a general assignment for the benefit of the licensee's creditors; or

(3) commencement of a proceeding to revoke or suspend the licensee's license in a state or country where the licensee engages in business or is licensed.

(b) A licensee shall file a report with the commissioner within three business days after the licensee has reason to know of a felony conviction of:

(1) The licensee or a key individual or person in control of the licensee; or
 (2) an authorized delegate.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 23. (a) A licensee and an authorized delegate shall file all reports required by federal currency reporting, recordkeeping and suspicious activity reporting requirements as set forth in federal and state laws pertaining to money laundering. The timely filing of a complete and accurate report required under this section with the appropriate federal agency is deemed compliant with the requirements of this section.

(b) This section shall take effect on and after January 1, 2025.

New Sec. 24. (a) Every licensee shall maintain the following records for at least three years:

(1) A record of each outstanding money transmission obligation sold;
 (2) a general ledger posted at least monthly containing all assets, liability, capital, income and expense accounts;
 (3) bank statements and bank reconciliation records;
 (4) records of all outstanding money transmission obligations;
 (5) records of each outstanding money transmission obligation paid within the three-year period the records are maintained;

(6) a list of the last known names and addresses of all the licensee's authorized delegates; and

(7) any other records the commissioner reasonably requires in rules and regulations.

(b) Records specified in subsection (a) may be maintained:

(1) In any form of record; and

(2) outside this state, if such records are made accessible to the commissioner on seven business days' notice.

(c) All records maintained by the licensee as required in this section are open to inspection by the commissioner pursuant to section 5(a), and amendments thereto.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 25. (a) As used in this section, "remit" means to make direct payments of money to a licensee or the licensee's representative authorized to receive money or to deposit money in a bank in an account specified by the licensee.

(b) Before a licensee is authorized to conduct business through an authorized delegate or allows a person to act as the licensee's authorized delegate, the licensee shall:

(1) Adopt and update as necessary all written policies and procedures reasonably designed to ensure that the licensee's authorized delegates comply with applicable state

and federal law;

(2) enter into a written contract that complies with subsection (d); and
(3) conduct a reasonable risk-based background investigation sufficient for the licensee to determine if the authorized delegate has complied and will likely comply with applicable state and federal law.

(c) An authorized delegate shall comply with this act.

(d) The written contract required by subsection (b) shall be signed by the licensee and the authorized delegate and, at a minimum, shall:

(1) Appoint the person signing the contract as the licensee's authorized delegate with the authority to conduct money transmission on behalf of the licensee;

(2) set forth the nature and scope of the relationship between the licensee and the authorized delegate and the respective rights and responsibilities of each party;

(3) require the authorized delegate to agree to fully comply with all applicable state and federal laws and rules and regulations pertaining to money transmission;

(4) require the authorized delegate to remit and handle money and any monetary value in accordance with the terms of the contract between the licensee and the authorized delegate;

(5) impose a trust on money and any monetary value net of fees received for money transmission for the benefit of the licensee;

(6) require the authorized delegate to prepare and maintain records as required by this act or rules and regulations adopted pursuant to this act or as reasonably required by the commissioner;

(7) acknowledge that the authorized delegate consents to examination or investigation by the commissioner;

(8) state that the licensee is subject to regulation by the commissioner and, as part of such regulation, the commissioner may suspend or revoke an authorized delegate designation or require the licensee to terminate an authorized delegate designation; and

(9) acknowledge receipt of the written policies and procedures required under subsection (b).

(e) Within five business days after the suspension, revocation, surrender or expiration of a licensee's license, the licensee shall provide documentation to the commissioner that the licensee has notified all applicable authorized delegates of the licensee whose names are in a record filed with the commissioner of the suspension, revocation, surrender or expiration of a license. Upon suspension, revocation, surrender or expiration of a license, all applicable authorized delegates shall immediately cease to provide money transmission as an authorized delegate of the licensee.

(f) An authorized delegate of a licensee holds in trust for the benefit of the licensee all money net of fees received from money transmission. If an authorized delegate commingles any funds received from money transmission with any other funds or property owned or controlled by the authorized delegate, all commingled funds and other property shall be considered held in trust in favor of the licensee in an amount equal to the amount of money net of fees received from money transmission.

(g) No authorized delegate shall use a subdelegate to conduct money transmission on behalf of a licensee.

(h) This section shall take effect on and after January 1, 2025.

New Sec. 26. (a) No person shall engage in the business of money transmission on behalf of a person who is not licensed or exempt from licensing under this act. If a

person engages in such activity, such person shall be deemed to have provided money transmission to the same extent that such person were a licensee and shall be jointly and severally liable with the unlicensed or nonexempt person.

(b) This section shall take effect on and after January 1, 2025.

New Sec. 27. (a) Every licensee shall forward all moneys received for transmission in accordance with the terms of the agreement between the licensee and the sender unless the licensee reasonably believes or has a reasonable basis to believe that the sender may be a victim of fraud or that a crime or violation of law or any rules and regulations has occurred, is occurring or may occur.

(b) If a licensee fails to forward money received for transmission in accordance with this section, the licensee shall respond to inquiries by the sender with the reason for the failure unless providing a response would violate a state or federal law or rules and regulations.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 28. (a) This section does not apply to moneys received for transmission:

(1) Subject to 12 C.F.R. §§ 1005.30 through 1005.36; or
(2) pursuant to a written agreement between the licensee and payee to process payments for goods or services provided by the payee.

(b) Within 10 days of receipt of the sender's written request for a refund of all money received for transmission, the licensee shall refund such money to the sender, unless:

(1) The money has been forwarded within 10 days of the date when the money was received for transmission;

(2) instructions have been given committing an equivalent amount of money to the person designated by the sender within 10 days of the date when the money was received for transmission;

(3) the agreement between the licensee and the sender instructs the licensee to forward the money after 10 days of the date when the money was received for transmission. If funds have not yet been forwarded in accordance with the terms of the agreement between the licensee and the sender, the licensee shall issue a refund in accordance with this section; or

(4) the refund is requested for a transaction that the licensee has not completed based on a reasonable belief or a reasonable basis to believe that a crime or violation of law, rules and regulations has occurred, is occurring or may occur.

(c) The refund request shall not be construed to enable the licensee to identify the:

(1) Sender's name and address or telephone number; or
(2) particular transaction to be refunded if the sender has multiple outstanding transactions.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 29. (a) This section shall not apply to:

(1) Money received for transmission subject to 12 C.F.R. §§ 1005.30 through 1005.36;

(2) money received for transmission that is not primarily for personal, family or household purposes;

(3) money received for transmission pursuant to a written agreement between the licensee and payee to process payments for goods or services provided by the payee; or

(4) payroll processing services.

- (b) As used in this section, "receipt" means a paper or electronic receipt.
- (c) (1) For a transaction conducted in person, the receipt may be provided electronically if the sender requests or agrees to receive an electronic receipt.
- (2) For a transaction conducted electronically or by phone, a receipt may be provided electronically. All electronic receipts shall be provided in a retainable form.
- (d) (1) Every licensee or the licensee's authorized delegate shall provide the sender a receipt for money received for transmission.
- (2) The receipt shall contain the:
- (A) Name of the sender;
 - (B) name of the designated recipient;
 - (C) date of the transaction;
 - (D) unique transaction or identification number;
 - (E) name of the licensee, the licensee's nationwide multistate licensing system and registry unique identification number, the licensee's business address and the licensee's customer service telephone number;
 - (F) amount of the transaction in United States dollars;
 - (G) fee charged, if any, by the licensee to the sender for the transaction; and
 - (H) taxes collected, if any, by the licensee from the sender for the transaction.
- (3) The receipt required by this section shall be written in English and in the language principally used by the licensee or authorized delegate to advertise, solicit or negotiate, either orally or in writing, for a transaction conducted in person, electronically or by phone, if other than English.

(e) This section shall take effect on and after January 1, 2025.

New Sec. 30. (a) Every licensee or authorized delegate shall include on a receipt or disclose on the licensee's website or mobile application the name of the office of the state bank commissioner and a statement that the licensee's Kansas customers can contact the office of the state bank commissioner with questions or complaints about the licensee's money transmission services.

(b) This section shall take effect on and after January 1, 2025.

New Sec. 31. (a) A licensee that provides payroll processing services shall:

(1) Issue reports to clients detailing client payroll obligations in advance of the payroll funds being deducted from an account; and

(2) make available worker paystubs or an equivalent statement to workers.

(b) This section shall not apply to a licensee providing payroll processing services where the licensee's client designates the intended recipients to the licensee and is responsible for providing the disclosures.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 32. (a) Every licensee shall maintain at all times a tangible net worth of:

(1) The greater of \$100,000 or 3% of such licensee's total assets up to \$100,000,000;

(2) 2% of such licensee's additional assets of \$100,000,000 to \$1,000,000,000; and

(3) 0.5% of such licensee's additional assets of over \$1,000,000,000.

(b) The licensee's tangible net worth shall be demonstrated at initial application by the applicant's most recent audited or unaudited financial statements pursuant to section 10, and amendments thereto.

(c) Notwithstanding the provisions of this section, the commissioner shall have the authority to exempt any applicant or licensee, in part or in whole, from the requirements

of this section.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 33. (a) An applicant for a money transmission license shall provide and a licensee at all times shall maintain security consisting of a surety bond in a form satisfactory to the commissioner or, with the commissioner's approval, a deposit instead of a bond in accordance with this section.

(b) The amount of the required security shall be:

(1) The greater of \$200,000 or an amount equal to 100% of the licensee's average daily money transmission liability in Kansas calculated for the most recently completed three-month period, up to a maximum of \$1,000,000; or

(2) \$200,000, if the licensee's tangible net worth exceeds 10% of total assets.

(c) A licensee that maintains a bond in the maximum amount provided for in subsection (b) shall not be required to calculate its average daily money transmission liability in Kansas for purposes of this section.

(d) A licensee may exceed the maximum required bond amount pursuant to section 35, and amendments thereto.

(e) This section shall take effect on and after January 1, 2025.

New Sec. 34. (a) A licensee shall maintain permissible investments that have a market value computed in accordance with United States generally accepted accounting principles of not less than the aggregate amount of the total of the licensee's outstanding money transmission obligations.

(b) Except for the permissible investments described in section 35, and amendments thereto, the commissioner may by rules and regulations or order limit the extent to which a specific investment maintained by a licensee within a class of permissible investments may be considered a permissible investment, if the specific investment represents undue risk to customers not reflected in the market value of investments.

(c) Permissible investments, even if commingled with other assets of the licensee, shall be held in trust for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations in the event of insolvency, the filing of a petition by or against the licensee under 11 U.S.C. §§ 101 through 110 for bankruptcy or reorganization, the filing of a petition by or against the licensee for receivership, the commencement of any other judicial or administrative proceeding for such licensee's dissolution or reorganization or in the event of an action by a creditor against the licensee who is not a beneficiary of this statutory trust. No permissible investments impressed with a trust pursuant to this subsection shall be subject to attachment, levy of execution or sequestration by order of any court, except for a beneficiary of this statutory trust.

(d) Upon the establishment of a statutory trust in accordance with subsection (c) or when any funds are drawn on a letter of credit pursuant to section 35, and amendments thereto, the commissioner shall notify the applicable regulator of each state where the licensee is licensed to engage in money transmission, if any, of the establishment of the trust or the funds drawn on the letter of credit, as applicable. Notice shall be deemed satisfied if performed pursuant to a multistate agreement or through the nationwide multistate licensing system and registry. Funds drawn on a letter of credit and any other permissible investments held in trust for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations shall be deemed held in trust for

the benefit of such purchasers and holders on a pro rata and equitable basis in accordance with statutes pursuant to which permissible investments are required to be held in Kansas and other states, as applicable. Any statutory trust established under this section shall be terminated upon extinguishment of all of the licensee's outstanding money transmission obligations.

(e) The commissioner by rules and regulations or by order may allow other types of investments that the commissioner determines are of sufficient liquidity and quality to be a permissible investment. The commissioner is hereby authorized to participate in efforts with other state regulators to determine which other types of investments are of sufficient liquidity and quality to be a permissible investment.

(f) This section shall take effect on and after January 1, 2025.

New Sec. 35. (a) The following investments are permissible under this section:

(1) Cash, including demand deposits, savings deposits and funds in accounts held for the benefit of the licensee's customers in a federally insured depository financial institution and cash equivalents including automated clearing house items in transit to the licensee and automated clearing house items or international wires in transit to a payee, cash in transit via armored car, cash in smart safes, cash in licensee-owned locations, debit card or credit card-funded transmission receivables owed by any bank or money market mutual funds rated AAA by Standard & Poor or the equivalent from any eligible rating service;

(2) certificates of deposit or senior debt obligations of a federally insured depository institution;

(3) an obligation of the United States or a commission, agency or instrumentality thereof, an obligation that is guaranteed fully as to principal and interest by the United States or an obligation of a state or a governmental subdivision, agency or instrumentality thereof;

(4) (A) the full drawable amount of an irrevocable standby letter of credit for which the stated beneficiary is the commissioner that stipulates that the beneficiary need only draw a sight draft under the letter of credit and present it to obtain funds up to the letter of credit amount within seven days of presentation of the items required by subparagraph (D);

(B) the letter of credit shall:

(i) Be issued by a federally insured depository financial institution, a foreign bank that is authorized under federal law to maintain a federal agency or federal branch office in a state or states or a foreign bank that is authorized under state law to maintain a branch in a state that:

(a) Bears an eligible rating or whose parent company bears an eligible rating; and

(b) is regulated, supervised and examined by United States federal or state authorities having regulatory authority over banks, credit unions and trust companies;

(ii) be irrevocable, unconditional and indicate that such letter of credit is not subject to any condition or qualifications outside of such letter of credit;

(iii) contain no references to any other agreements, documents or entities or otherwise provide for a security interest in the licensee; and

(iv) contain an issue date and expiration date and expressly provide for automatic extension, without a written amendment, for an additional period of one year from the present or each future expiration date unless the issuer of the letter of credit notifies the commissioner in writing by certified or registered mail or courier mail or other

received means at least 60 days prior to any expiration date, that the irrevocable letter of credit will not be extended;

(C) if any notice of expiration or non-extension of a letter of credit is issued under clause (a)(4)(B)(iv), the licensee shall be required to demonstrate to the satisfaction of the commissioner, 15 days prior to expiration, that the licensee maintains and shall maintain permissible investments in accordance with section 36(a), and amendments thereto, upon the expiration of the letter of credit. If the licensee is not able to do so, the commissioner may draw on the letter of credit in an amount up to the amount necessary to meet the licensee's requirements to maintain permissible investments in accordance with section 34(a), and amendments thereto. Any such draw shall be offset against the licensee's outstanding money transmission obligations. The drawn funds shall be held in trust by the commissioner or the commissioner's designated agent, to the extent authorized by law, as agent for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations;

(D) the letter of credit shall provide that the issuer of such letter of credit shall honor, at sight, a presentation made of the following documents by the beneficiary to the issuer on or prior to the expiration date of the letter of credit:

(i) The original letter of credit, including any amendments; and
(ii) a written statement from the beneficiary stating that any of the following events have occurred:

(a) The filing of a bankruptcy or reorganization petition by or against the licensee;
(b) the filing of a petition by or against the licensee for receivership or the commencement of any other judicial or administrative proceeding for such licensee's dissolution or reorganization;

(c) the seizure of assets of a licensee by a commissioner pursuant to an emergency order issued in accordance with applicable law, on the basis of an action, violation or condition that has caused or is likely to cause the insolvency of the licensee; or

(d) the beneficiary has received notice of expiration or non-extension of a letter of credit and the licensee failed to demonstrate to the satisfaction of the beneficiary that the licensee will maintain permissible investments in accordance with section 36(a), and amendments thereto, upon the expiration or non-extension of the letter of credit;

(E) the commissioner may designate an agent to serve on the commissioner's behalf as beneficiary to a letter of credit if the agent and letter of credit meet requirements established by the commissioner. The commissioner's agent may serve as agent for multiple licensing authorities for a single irrevocable letter of credit if the proceeds of the drawable amount for the purposes of subsection (a)(4) are assigned to the commissioner; and

(F) the commissioner is hereby authorized to participate in multistate processes designed to facilitate the issuance and administration of letters of credit, including, but not limited to, services provided by the nationwide multistate licensing system and registry and state regulatory registry, LLC; and

(5) 100% of the surety bond provided for under section 33, and amendments thereto, that exceeds the average daily money transmission liability in Kansas.

(b) (1) Unless permitted by the commissioner by rules and regulations adopted or by order issued to exceed the limit as set forth herein, the following investments are permissible under section 35, and amendments thereto, to the extent specified:

(A) Receivables payable to a licensee from the licensee's authorized delegates in

the ordinary course of business that are less than seven days old up to 50% of the aggregate value of the licensee's total permissible investments; and

(B) of the receivables permissible under subparagraph (A), receivables payable to a licensee from a single authorized delegate in the ordinary course of business may not exceed 10% of the aggregate value of the licensee's total permissible investments.

(2) The following investments are permissible up to 20% per category and up to 50% combined of the aggregate value of the licensee's total permissible investments:

(A) A short-term investment of up to six months, bearing an eligible rating;

(B) commercial paper bearing an eligible rating;

(C) a bill, note, bond or debenture bearing an eligible rating;

(D) United States tri-party repurchase agreements collateralized at 100% or more with United States government or agency securities, municipal bonds or other securities bearing an eligible rating;

(E) money market mutual funds rated less than AAA and equal to or higher than A- by Standard & Poor or the equivalent from any other eligible rating service; and

(F) a mutual fund or other investment fund composed solely and exclusively of one or more permissible investments listed in subsection (a)(1) through (3).

(3) Cash, including demand deposits, savings deposits and funds in such accounts held for the benefit of the licensee's customers, at foreign depository institutions are permissible up to 10% of the aggregate value of the licensee's total permissible investments if the licensee has received a satisfactory rating in the licensee's most recent examination and the foreign depository institution:

(A) Has an eligible rating;

(B) is registered under the foreign account tax compliance act;

(C) is not located in any country subject to sanctions from the office of foreign asset control; and

(D) is not located in a high-risk or non-cooperative jurisdiction as designated by the financial action task force.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 36. (a) The commissioner may, after notice and an opportunity for a hearing conducted in accordance with the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, suspend or revoke a license or order a licensee to revoke the designation of an authorized delegate if:

(1) The licensee violates this act or any rules and regulations adopted or an order issued under this act;

(2) the licensee does not cooperate with an examination or investigation by the commissioner;

(3) the licensee engages in fraud, intentional misrepresentation or gross negligence;

(4) an authorized delegate is convicted of a violation of a state or federal anti-money laundering statute or violates any rules or regulations adopted or an order issued under this act, as a result of the licensee's willful misconduct or willful blindness;

(5) the competence, experience, character or general fitness of the licensee, authorized delegate, person in control of a licensee, key individual or responsible person of the authorized delegate indicates that it is not in the public interest to permit the person to provide money transmission;

(6) the licensee engages in an unsafe or unsound practice as determined by the commissioner pursuant to subsection (b);

(7) the licensee is insolvent, suspends payment of the licensee's obligations or makes a general assignment for the benefit of the licensee's creditors;

(8) the licensee does not remove an authorized delegate after the commissioner issues and serves upon the licensee a final order that includes a finding that the authorized delegate has violated this act;

(9) a fact or condition exists that, if it had existed when the licensee applied for a license, would have been grounds for denying the application;

(10) the licensee's net worth becomes inadequate and the licensee, after 10 days, fails to take steps to remedy the deficiency;

(11) the licensee demonstrated a pattern of failing to promptly pay obligations;

(12) the licensee applied for adjudication, reorganization or other relief under bankruptcy; or

(13) the licensee lied or made false or misleading statements to any material fact or omitted any material fact.

(b) In determining whether a licensee is engaging in an unsafe or unsound practice, the commissioner may consider the size and condition of the licensee's money transmission, the magnitude of the loss, the gravity of the violation of this act and the previous conduct of the person involved.

(c) This section shall take effect on and after January 1, 2025.

New Sec. 37. (a) The commissioner may issue an order suspending or revoking the designation of an authorized delegate, if the commissioner finds that the:

(1) Authorized delegate violated this act or any rules and regulations adopted or an order issued under this act;

(2) authorized delegate did not cooperate with an examination or investigation by the commissioner;

(3) authorized delegate engaged in fraud, intentional misrepresentation or gross negligence;

(4) authorized delegate is convicted of a violation of a state or federal anti-money laundering statute;

(5) the competence, experience, character or general fitness of the authorized delegate or a person in control of the authorized delegate indicates that it is not in the public interest to permit the authorized delegate to provide money transmission; or

(6) the authorized delegate is engaging in an unsafe or unsound practice as determined by the commissioner pursuant to subsection (b).

(b) In determining whether an authorized delegate is engaging in an unsafe or unsound practice, the commissioner may consider the size and condition of the authorized delegate's provision of money transmission, the magnitude of the loss, the gravity of the violation of this act or any rules and regulations adopted or an order issued under this act and the previous conduct of the authorized delegate.

(c) An authorized delegate may apply for relief from a suspension or revocation of designation as an authorized delegate according to procedures prescribed by the commissioner in rules and regulations.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 38. (a) If the commissioner determines that a violation of this act or of any rules and regulations adopted or an order issued under this act by a licensee, a person required to be licensed or authorized delegate is likely to cause immediate and irreparable harm to the licensee, the licensee's customers or the public as a result of the

violation or cause insolvency or significant dissipation of assets of the licensee, the commissioner may issue an order requiring the licensee or authorized delegate to cease and desist from the violation. The order shall become effective upon service of the order on the licensee or authorized delegate.

(b) The commissioner may issue an order against a licensee to cease and desist from providing money transmission through an authorized delegate that is the subject of a separate order by the commissioner.

(c) An order to cease and desist shall remain effective and enforceable pending the completion of an administrative proceeding pursuant to the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto.

(d) An order to cease and desist shall be considered a final order unless the licensee or authorized delegate requests a hearing within 14 days after the cease and desist order is issued.

(e) This section shall take effect on and after January 1, 2025.

New Sec. 39. (a) The commissioner may enter into a consent order at any time with a person to resolve a matter arising under this act or any rules and regulations adopted or order issued under this act. A consent order shall be signed by the person to whom such consent order is issued or by the person's authorized representative and shall indicate agreement with the terms contained in the order. A consent order may provide that such consent order does not constitute an admission by a person that this act or rules and regulations adopted or an order issued under this act has been violated.

(b) This section shall take effect on and after January 1, 2025.

New Sec. 40. (a) Any person that intentionally makes a false statement, misrepresentation or false certification in a record filed or required to be maintained under this act or that intentionally makes a false entry or omits a material entry in such a record is guilty of a severity level 9, nonperson felony.

(b) Any person that knowingly engages in an activity for which a license is required under this act without being licensed under this act and who receives more than \$500 in compensation within a 30-day period from this activity is guilty of a severity level 9, nonperson felony.

(c) Any person that knowingly engages in an activity for which a license is required under this act without being licensed under this act and who receives not more than \$500 in compensation within a 30-day period from this activity is guilty of a class A nonperson misdemeanor.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 41. (a) As part of any summary order or consent order, the commissioner may:

(1) Assess a fine against any person who violates this act or any rules and regulations adopted hereunder in an amount not to exceed \$5,000 per violation. The commissioner may designate any fine collected pursuant to this section be used for consumer education;

(2) assess the agency's operating costs and expenses for investigating and enforcing this act;

(3) require the person to pay restitution for any loss arising from the violation or requiring the person to reimburse any profits arising from the violation;

(4) prohibit the person from future application for licensure pursuant to the act; and

(5) require such affirmative action as determined by the commissioner to carry out

the purposes of this act.

(b) (1) The commissioner may enter into an informal agreement at any time with a person to resolve a matter arising under this act, rules and regulations adopted hereunder or an order issued pursuant to this act.

(2) Any informal agreement authorized by this subsection shall be considered confidential examination material. The adoption of an informal agreement authorized by this subsection shall not be:

(A) Subject to the provisions of K.S.A. 77-501 et seq., and amendments thereto, or K.S.A. 77-601 et seq., and amendments thereto;

(B) considered an order or other agency action;

(C) subject to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto; or

(D) discovery or be admissible in evidence in any private civil action.

(3) The provisions of this subsection providing for the confidentiality of public records shall expire on July 1, 2030, unless the legislature reviews and reenacts such provisions in accordance with the Kansas open records act, K.S.A. 45-229, and amendments thereto, prior to July 1, 2030.

(c) Through an examination finding, the commissioner may:

(1) Assess a fine against any licensee who violates this act or rules and regulations adopted thereto, in an amount not to exceed \$5,000 per violation. The commissioner may designate any fine collected pursuant to this section be used for consumer education; or

(2) require the licensee to pay restitution for any loss arising from the violation or require the person to reimburse any profits arising from the violation.

(d) This section shall take effect on and after January 1, 2025.

New Sec. 42. (a) The provisions of this act are severable. If any portion of the act is declared unconstitutional or invalid, or the application of any portion of the act to any person or circumstance is held unconstitutional or invalid, the invalidity shall not affect other portions of the act that can be given effect without the invalid portion or application, and the applicability of such other portions of the act to any person or circumstance shall remain valid and enforceable.

(b) This section shall take effect on and after January 1, 2025.

New Sec. 43. (a) Sections 43 through 58, and amendments thereto, shall be known and may be cited as the Kansas earned wage access services act.

(b) This act shall not apply to a:

(1) Bank holding company regulated by the federal reserve;

(2) depository institution regulated by a federal banking agency; or

(3) a subsidiary of either paragraph (1) or (2) if such subsidiary directly owns 25% of the bank holding company or depository institution's common stock.

New Sec. 44. As used in sections 43 through 58, and amendments thereto:

(a) "Act" means the Kansas earned wage access services act.

(b) "Commissioner" means the state bank commissioner or the commissioner's designee, who shall be the deputy commissioner of the consumer and mortgage lending division of the office of the state bank commissioner.

(c) "Consumer" means an individual who is a resident of this state. A provider may use the mailing address provided by a consumer to determine such consumer's state of residence for purposes of this act.

(d) "Consumer-directed wage access services" means offering or providing earned wage access services directly to consumers based on the consumer's representations and the provider's reasonable determination of the consumer's earned but unpaid income.

(e) "Director" means a member of the registrant's or applicant's board of directors.

(f) "Earned but unpaid income" means salary, wages, compensation or other income that a consumer has represented, and that a provider has reasonably determined, to have been earned or to have accrued to the benefit of the consumer in exchange for the consumer's provision of services to an employer or on behalf of an employer, including on an hourly, project-based, piecework or other basis and including where the consumer is acting as an independent contractor of the employer, but, at the time of the payment of proceeds, have not been paid to the consumer by the employer.

(g) "Earned wage access services" means the business of providing consumer-directed wage access services or employer-integrated wage access services, or both.

(h) "Employer-integrated wage access services" means the business of delivering to consumers access to earned but unpaid income that is based on employment, income and attendance data obtained directly or indirectly from an employer.

(i) "Fee" means a fee imposed by a provider for delivery or expedited delivery of proceeds to a consumer or a subscription or membership fee imposed by a provider for a bona fide group of services that include earned wage access services. A voluntary tip, gratuity or donation shall not be deemed a fee.

(j) "Member" means someone who has the right to receive upon dissolution, or has contributed 10% or more of the capital, of a limited liability corporation or a limited liability partnership of the registrant or applicant.

(k) "Nationwide multistate licensing system and registry" or "registry" means a multistate licensing system developed by the conference of state bank supervisors and the American association of residential mortgage regulators and operated by the state regulatory agency, LLC, for the licensing and registration of non-depository financial service entities by participating state agencies or any successor to the nationwide multisystem licensing system and registry.

(l) "Non-mandatory payment" means the following:

(1) A charge imposed by a provider for delivery or expedited delivery of proceeds to a consumer so long as a provider offers the consumer at least one option to receive proceeds at no cost to the consumer;

(2) an amount paid by an obligor to a provider on a consumer's behalf that entitles the consumer to receive proceeds at no cost to the consumer;

(3) a subscription or membership charge imposed by a provider for a group of services that include earned wage access services so long as the provider offers the consumer at least one option to receive proceeds at no cost to the consumer; or

(4) a tip or gratuity paid by a consumer to a provider so long as the provider offers the consumer at least one option to receive proceeds at no cost to the consumer.

(m) "Nonrecourse" means a provider shall not compel or attempt to compel repayment by a consumer of outstanding proceeds or fees owed by such consumer to such provider through any of the following means:

(1) A civil suit against the consumer in a court of competent jurisdiction;

(2) use of a third party to pursue collection of outstanding proceeds or fees on the provider's behalf; or

(3) sale of outstanding amounts to a third-party collector or debt buyer.

(n) "Obligor" means an employer or other person who employs a consumer or any other person who is contractually obligated to pay a consumer earned but unpaid income in exchange for a consumer's provision of services to the employer or on behalf of the employer, including on an hourly, project-based, piecework or other basis, and including where the consumer is acting as an independent contractor

(o) "Officer" means a person who participates or has authority to participate, other than in the capacity of a director, in major policymaking functions of the registrant or applicant, whether or not the person has an official title. "Officer" includes, but is not limited to, the chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief credit officer, chief compliance officer and every vice president.

(p) "Outstanding proceeds" means proceeds remitted to a consumer by a provider that have not yet been repaid to such provider.

(q) "Owner" means an individual who holds, directly or indirectly, at least 10% or more of a class of voting securities or the power to direct the management or policies of a registrant or an applicant.

(r) "Partner" means a person that has the right to receive upon dissolution, or has contributed, 10% or more of the capital of a partnership of the registrant or applicant.

(s) "Person" means any individual, corporation, partnership, association or other commercial entity.

(t) "Principal" of a registrant means a person that oversees the daily operations of a registrant or applicant and is not an owner or key individual of such registrant or applicant.

(u) "Proceeds" means a payment to a consumer by a provider that is based on earned but unpaid income.

(v) "Provider" means a person who is in the business of offering and providing earned wage access services to consumers.

(w) "Registrant" means a person who is registered with the commissioner as an earned wage access services provider.

New Sec. 45. (a) No person shall engage in or hold such person out as willing to engage in any earned wage access services business with a consumer without registering with the commissioner. Any person required to be registered as an earned wage access services provider shall submit to the commissioner an application for registration on forms prescribed and provided by the commissioner. Such application for registration shall include:

(1) The applicant's name, business address, telephone number and, if any, website address;

(2) the name and address of each owner, officer, director, member, partner or principal of the applicant;

(3) a description of the ownership interest of any officer, director, member, partner, agent or employee of the applicant in any affiliate or subsidiary of the applicant or in any other entity that provides any service to the applicant or any consumer relating to the applicant's earned wage access services business; and

(4) any other information the commissioner may deem necessary to evaluate the financial responsibility, financial condition, character, qualifications and fitness of the applicant.

(b) Each application for registration shall be accompanied by a nonrefundable fee.

(c) The commissioner shall approve an application and shall issue a nontransferable and nonassignable registration to the applicant when the commissioner:

- (1) Receives the complete application and fee required by this section; and
- (2) determines the financial responsibility, financial condition, character, qualifications and fitness warrants a belief that the business of the applicant will be conducted competently, honestly, fairly and in accordance with all applicable state and federal laws.

(d) Each earned wage access services registration issued under this section shall expire on December 31 of each year. A registration shall be renewed by filing a complete renewal application with the commissioner at least 30 calendar days prior to the expiration of the registration. Such renewal application shall contain all information the commissioner requires to determine the existence and effect of any material change from the information contained in the applicant's original application, annual reports or prior renewal applications. Each renewal application shall be accompanied by a nonrefundable renewal fee.

(e) If the commissioner fails to issue a registration within 60 calendar days after a filed application is deemed complete by the commissioner, the applicant may make written request for a hearing. Upon receipt of such written request for a hearing, the commissioner shall conduct a hearing in accordance with the Kansas administrative procedure act.

(f) Not later than the first day of the sixth month beginning after the effective date of this act, the commissioner shall prescribe the form and content of an application for registration to provide earned wage access services pursuant to this act.

(g) Notwithstanding the provisions of subsection (a), a person who, as of January 1, 2024, was engaged in the business of providing earned wage access services in this state may, until the commissioner has processed the person's application for registration, continue to engage in the business of providing earned wage access services in this state without registering if the person has submitted an application for registration within three months after the commissioner has prescribed the form and content of an application pursuant to subsection (f) and otherwise complies with this act.

(h) The registration requirements of this act shall not apply to individuals acting as employees or independent contractors of business entities required to register.

New Sec. 46. Each applicant or registrant shall file with the commissioner a surety bond in a form acceptable to the commissioner. Such surety bond shall be issued by a surety or insurance company authorized to conduct business in this state, securing the applicant's or registrant's faithful performance of all duties and obligations of a registrant. The surety bond shall:

- (a) Be payable to the office of the state bank commissioner;
- (b) provide that the bond may not be terminated without 30 calendar days' prior written notice to the commissioner, that such termination shall not affect the surety's liability for violations of this act occurring prior to the effective date of cancellation, and principal and surety shall be and remain liable for a period of two years from the date of any action or inaction of principal that gives rise to a claim under the bond;
- (c) provide that the bond shall not expire for two years after the date of surrender, revocation or expiration of the applicant's or registrant's registration, whichever occurs first;
- (d) be available for:

(1) The recovery of expenses, fines and fees levied by the commissioner under this act; and

(2) payment of losses or damages that are determined by the commissioner to have been incurred by any consumer as a result of the applicant's or registrant's failure to comply with the requirements of this act; and

(e) be in the amount of \$100,000.

New Sec. 47. A provider that is registered in the state of Kansas shall be subject to the following requirements:

(a) The registrant shall provide all proceeds on a non-recourse basis and shall treat all fees and non-mandatory payments as non-recourse payment obligations.

(b) The registrant shall develop and implement policies and procedures to respond to questions raised by consumers and address complaints from consumers in an expedient manner.

(c) Before entering into an agreement with a consumer for the provision of earned wage access services, the registrant shall:

(1) Inform the consumer of their rights under the agreement;

(2) fully and clearly disclose all fees associated with the earned wage access services; and

(3) clearly and conspicuously describe how the consumer may obtain proceeds at no cost to such consumer.

(d) A registrant shall inform the consumer of any material changes to the terms and conditions of the earned wage access services before implementing such changes for such consumer.

(e) The registrant shall provide proceeds to a consumer via any means mutually agreed upon by the consumer and registrant.

(f) The registrant shall allow a consumer to cancel the use of the provider's earned wage access services at any time without incurring a cancellation fee or penalty imposed by the provider.

(g) The registrant shall comply with all applicable federal, state and local privacy and information security laws.

(h) If a registrant solicits, charges or receives a tip, gratuity or other donation from a consumer, the registrant shall disclose:

(1) To the consumer immediately prior to each transaction that a tip, gratuity or other donation amount may be zero and is voluntary; and

(2) in its agreement with the consumer and elsewhere that tips, gratuities or other donations are voluntary and that the offering of earned wage access services, including the amount of proceeds a consumer is eligible to request and the frequency with which proceeds are provided to a consumer, is not contingent on whether the consumer pays any tip, gratuity or donation or on the size of any tip, gratuity or other donation.

(i) If a registrant will seek repayment of outstanding proceeds or payment of fees or other amounts owed, including voluntary tips, gratuities or other donations, in connection with earned wage access services from a consumer's depository institution, including by means of electronic funds transfer, the registrant shall do all of the following:

(1) Inform the consumer when the provider will make each attempt to seek repayment of the proceeds from the consumer;

(2) comply with applicable provisions of the federal electronic fund transfer act, 15

U.S.C. § 1693 et seq., and any regulations adopted thereunder; and

(3) reimburse the consumer for the full amount of any overdraft or nonsufficient funds fees imposed on a consumer by the consumer's depository institution that were caused by the provider attempting to seek payment of any outstanding proceeds, fees or other payments in connection with earned wage access services, including voluntary tips, gratuities or other donations, on a date before, or in an incorrect amount from, the date or amount disclosed to the consumer. Notwithstanding the provisions of this paragraph, no provider shall be subject to the requirements of this paragraph with respect to payments of outstanding proceeds or fees incurred by a consumer through fraudulent or other unlawful means.

New Sec. 48. No person required to be registered under this act shall:

(a) Compel or attempt to compel repayment by a consumer of outstanding proceeds or payments owed by such consumer to the registrant through any of the following means:

(1) A civil suit against the consumer in a court of competent jurisdiction;
(2) use of a third party to pursue collection of outstanding proceeds or payments on the provider's behalf;

(3) use of outbound telephone calls to attempt collection; or

(4) sale of outstanding amounts to a third-party debt collector or debt purchaser;

(b) charge a late fee, a deferral fee, interest or any other penalty or charge for failure to repay outstanding proceeds, fees, voluntary tips, gratuities or other donations;

(c) charge interest or finance charges;

(d) charge an unreasonable fee to provide expedited delivery of proceeds to a consumer;

(e) share with an employer a portion of any fees, voluntary tips, gratuities or other donations that were received from or charged to a consumer for earned wage access services;

(f) condition the amount of proceeds that a consumer is eligible to request or the frequency with which a consumer is eligible to request proceeds on whether such consumer pays fees, voluntary tips, gratuities or other donations or on the size of any fee, voluntary tip, gratuity or other donation that such consumer may make to such registrant in connection with the provision of earned wage access services;

(g) mislead or deceive consumers about the voluntary nature of tips, gratuities or other donations or make representations that tips, gratuities or other donations will benefit any specific individuals if the registrant solicits, charges or receives tips, gratuities or other donations from a consumer;

(h) charge a deferral fee or any other charge in connection with deferring the collection of any outstanding proceeds beyond the original scheduled repayment date;

(i) accept credit of any kind as payment from a consumer of outstanding proceeds or non-mandatory payments;

(j) report a consumer's payment or failed repayment of outstanding proceeds to a consumer credit reporting agency or a debt collector; or

(k) require a credit score to determine a consumer's eligibility for earned wage access services.

New Sec. 49. (a) For purposes of the laws of this state:

(1) Earned wage access services provided by a registrant in accordance with this chapter shall not be considered to be:

(A) A loan or other form of credit or the registrant a creditor or lender with respect thereto;

(B) in violation of or noncompliant with the laws of this state governing the sale or assignment of, or an order for, earned but unpaid income; or

(C) money transmission or the registrant a money transmitter with respect thereto.

(2) Fees, voluntary tips, gratuities or other donations paid to such a registrant in accordance with this chapter shall not be considered interest or finance charges.

(b) A registrant that provides proceeds to a consumer in accordance with this act shall not be subject to the provisions of the uniform consumer credit code in connection with such registrant's earned wage access services.

(c) If there is a conflict between the provisions of this act and any other state statute, the provisions of this act control.

New Sec. 50. (a) (1) On or before April 1 of each year, each registrant shall file with the commissioner an annual report relating to earned wage access services provided by the registrant in this state during the preceding calendar year. The annual report shall be on a form prescribed by the commissioner.

(2) The information contained in the annual report shall be confidential and shall not be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto. The commissioner may publish aggregate annual report information for multiple registrants in composite form. The provisions of this paragraph shall expire on July 1, 2029, unless the legislature reviews and acts to continue such provisions pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2029.

(b) Within 15 calendar days of any of the following events, a registrant shall file a written report with the commissioner describing the event and such event's expected impact on the registrant's business:

(1) The filing for bankruptcy or reorganization by the registrant;

(2) the institution of a revocation, suspension or other proceeding against the registrant by a governmental authority that is related to the registrant's earned wage access services business in any state;

(3) the addition or loss of any owner, officer, partner, member, principal or director of the registrant;

(4) a felony conviction of the registrant or any of such registrant's owners, officers, members, principals, directors or partners;

(5) a change in the registrant's name or legal entity status; or

(6) the closing or relocation of the registrant's principal place of business.

(c) If a registrant fails to make any report to the commissioner as required by this section, the commissioner may require the registrant to pay a late penalty of \$100 for each day such report is overdue.

New Sec. 51. (a) Each registrant shall maintain and preserve complete and adequate business records, including a general ledger containing all assets, liabilities, capital, income and expense accounts for a period of three years.

(b) Each registrant shall maintain and preserve complete and adequate records of each earned wage access services contract during the term of the contract and for a period of five years from the date on which the registrant last provides proceeds to the consumer.

(c) The registrant shall provide the records to the commissioner within three business days of the commissioner's request or, at the commissioner's discretion, pay

reasonable and necessary expenses for the commissioner or commissioner's designee to examine them at the place where such records are maintained. The registrant may provide such records electronically to the commissioner in a manner prescribed by the commissioner.

New Sec. 52. The commissioner may deny, suspend, revoke or refuse to renew a registration issued pursuant to this act if the commissioner finds, after notice and opportunity for a hearing conducted in accordance with the provisions of the Kansas administrative procedure act, that:

(a) The applicant or registrant has repeatedly or willfully violated any provision of this act, any rules and regulations adopted thereunder or any order lawfully issued by the commissioner pursuant to this act;

(b) the applicant or registrant has failed to file and maintain the surety bond required under this act;

(c) the applicant or registrant is insolvent;

(d) the applicant or registrant has filed with the commissioner any document or statement containing any false representation of a material fact or omitting to state a material fact;

(e) the applicant, registrant or any officer, director, member, owner, partner or principal of the applicant or registrant has been convicted of any crime;

(f) the applicant or registrant fails to keep and maintain sufficient records to permit an audit satisfactorily disclosing to the commissioner the applicant's or registrant's compliance with the provisions of this act and applicable federal law;

(g) the applicant, registrant or an employee of the applicant or registrant has been the subject of any disciplinary action by the commissioner or any other state or federal regulatory agency;

(h) a final judgment has been entered against the applicant or registrant in a civil action and the commissioner finds that the conduct on which the judgment is based indicates that it would be contrary to the public interest to permit such person to be registered;

(i) the applicant or registrant has engaged in any deceptive business practice;

(j) facts or conditions exist that would have justified the denial of the registration or renewal had such facts or conditions existed or been known to exist at the time the application for registration or renewal was made; or

(k) the applicant or registrant has refused to furnish information required by the commissioner within a reasonable period of time as established by the commissioner.

New Sec. 53. (a) The commissioner shall administer the provisions of this act. In addition to other powers granted by this act, the commissioner, within the limitations provided by law, may exercise the following powers:

(1) Adopt, amend and revoke rules and regulations as necessary to carry out the intent and purpose of this act;

(2) make any investigation and examination of the operations, books and records of an earned wage access services provider as the commissioner deems necessary to aid in the enforcement of this act;

(3) have free and reasonable access to the offices, places of business and all records of the registrant that will enable the commissioner to determine whether the registrant is complying with the provisions of this act. The commissioner may designate persons, including comparable officials of the state in which the records are located, to inspect

the records on the commissioner's behalf;

(4) establish, charge and collect fees from applicants or registrants for reasonable costs of investigation, examination and administration of this act, in such amounts as the commissioner may determine to be sufficient to meet the budget requirements of the commissioner for each fiscal year. The commissioner may maintain an action in any court to recover such costs;

(5) order any registrant or person to cease any activity or practice that the commissioner deems to be deceptive, dishonest, a violation of this act, or of any other state or federal law, or unduly harmful to the interests of the public;

(6) exchange any information regarding the administration of this act with any agency of the United States or any state that regulates the applicant or registrant or administers statutes, rules and regulations or programs related to earned wage access services laws with any attorney general or district attorney with jurisdiction to enforce criminal violations of this act;

(7) disclose to any person or entity that an applicant's or registrant's application or registration has been denied, suspended, revoked or refused renewal;

(8) require or permit any person to file a written statement, under oath or otherwise as the commissioner may direct, setting forth all the facts and circumstances concerning any apparent violation of this act, any rule and regulation adopted thereunder or any order issued pursuant to this act;

(9) receive, as a condition in settlement of any investigation or examination, a payment designated for consumer education to be expended for such purpose as directed by the commissioner;

(10) delegate the authority to sign any orders, official documents or papers issued under or related to this act to the deputy of consumer and mortgage lending division of the office of the state bank commissioner;

(11) (A) require fingerprinting of any officer, partner, member, owner, principal or director of an applicant or registrant. Such fingerprints may be submitted to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check to be submitted to the office of the state bank commissioner. The fingerprints shall be used to identify the person and to determine whether the person has a record of arrests and convictions in this state or other jurisdictions. The office of the state bank commissioner may use information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the persons associated with the applicant. Whenever the office of the state bank commissioner requires fingerprinting, any associated costs shall be paid by the applicant or the parties to the application.

(B) The Kansas bureau of investigation shall release all records of adult convictions, adjudications, and juvenile adjudications in Kansas and of another state or country to the office of the state bank commissioner. The office of the state bank commissioner shall not disclose or use a state and national criminal history record check for any purpose except as provided for in this section. Unauthorized use of a state or national criminal history record check shall constitute a class A nonperson misdemeanor.

(C) Each state and national criminal history record check shall be confidential, not subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto, and not

be disclosed to any applicant or registrant. The provisions of this subparagraph shall expire on July 1, 2029, unless the legislature reviews and acts to continue such provisions pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2029;

(12) issue, amend and revoke written administrative guidance documents in accordance with the applicable provisions of the Kansas rules and regulations filing act;

(13) enter into any informal agreement with any person for a plan of action to address violations of this act; and

(14) require use of a nationwide multi-state licensing system and registry for processing applications, renewals, amendments, surrenders and any other activity that the commissioner deems appropriate. The commissioner may establish relationships or contracts with the nationwide multi-state licensing system and registry or other entities to collect and maintain records and process transaction fees or other fees related to applicants and licensees, as may be reasonably necessary to participate in the nationwide multi-state licensing system and registry. The commissioner may report violations of the law, as well as enforcement actions and other relevant information to the nationwide multi-state licensing system and registry. The commissioner may require any applicant or licensee to file reports with the nationwide multi-state licensing system and registry in the form prescribed by the commissioner.

(b) Examination reports and correspondence regarding such reports made by the commissioner or the commissioner's designees shall be confidential and shall not be subject to the provisions of the open records act, K.S.A. 45-215 et seq., and amendments thereto. The commissioner may release examination reports and correspondence regarding the reports in connection with a disciplinary proceeding conducted by the commissioner, a liquidation proceeding or a criminal investigation or proceeding. Additionally, the commissioner may furnish to federal or other state regulatory agencies or any officer or examiner thereof, a copy of any or all examination reports and correspondence regarding the reports made by the commissioner or the commissioner's designees. The provisions of this subsection shall expire on July 1, 2029, unless the legislature reviews and acts to continue such provisions pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2029.

(c) For the purpose of any examination, investigation or proceeding under this act, the commissioner or the commissioner's designee may administer oaths and affirmations, subpoena witnesses, compel such witnesses' attendance, introduce evidence and require the production of any matter that is relevant to the examination or investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of relevant facts or any other matter reasonably calculated to lead to the discovery of relevant information or items.

(d) The adoption of an informal agreement authorized by this section shall not be subject to the provisions of the Kansas administrative procedure act or the Kansas judicial review act. Any informal agreement authorized by this subsection shall not be considered an order or other agency action and shall be considered confidential examination material. All such examination material shall be confidential by law and privileged, shall not be subject to the provisions of the open records act, K.S.A. 45-215 et seq., and amendments thereto, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. The provisions of this subsection shall expire on July 1, 2029, unless the legislature reviews and acts to

continue such provisions pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2029.

New Sec. 54. (a) If the commissioner determines after notice and opportunity for a hearing pursuant to the Kansas administrative procedure act that any person has engaged, is engaging or is about to engage in any act or practice constituting a violation of any provision of this act, any rules and regulations adopted or order issued thereunder, the commissioner may issue an order requiring any or all of the following:

(1) That the person cease and desist from the unlawful act or practice;

(2) that the person pay a fine not to exceed \$5,000 per incident for the unlawful act or practice;

(3) if any person is found to have violated any provision of this act and such violation is committed against elder or disabled persons as defined in K.S.A. 50-676, and amendments thereto, the commissioner may impose an additional penalty not to exceed \$5,000 for each such violation, in addition to any civil penalty otherwise provided by law;

(4) that the person to pay restitution for any loss arising from the violation or requiring the person to disgorge any profits arising from the violation. Such order may include the assessment of interest not to exceed 8% per annum from the date of the violation;

(5) that the person take such action as in the judgment of the commissioner will carry out the purposes of this act; or

(6) that the person be barred from subsequently applying for registration under this act.

(b) (1) If the commissioner makes written findings of fact that the public interest will be irreparably harmed by delay in issuing an order under subsection (a), the commissioner may issue an emergency cease and desist order.

(2) Such emergency order, even if not an order within the meaning of K.S.A. 77-502, and amendments thereto, shall be subject to the same procedures as an emergency order issued under K.S.A. 77-536, and amendments thereto.

(3) Upon the entry of such an emergency order, the commissioner shall promptly notify the person subject to the order that such order has been entered, the reasons for such order and that a hearing will be held upon written request by such person.

(4) If such person requests a hearing or, in the absence of any request, if the commissioner determines that a hearing should be held, the matter shall be set for a hearing that shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Upon completion of the hearing the commissioner shall, by written findings of fact and conclusions of law, vacate, modify or make permanent the emergency order.

(5) If no hearing is requested and none is ordered by the commissioner, the emergency order shall remain in effect until such order is modified or vacated by the commissioner.

(6) Fines and penalties collected pursuant to paragraphs (2) and (3) shall be designated for use by the commissioner for consumer education.

New Sec. 55. (a) In case of failure or refusal to obey a subpoena issued to any person, any court of competent jurisdiction, upon application by the commissioner, may issue an order requiring such person to appear before the commissioner, or the commissioner's designee, to produce documentary evidence if so ordered or to give

evidence relating to the matter under investigation or in question. Any failure to obey the order of the court may be punished by the court as contempt of court.

(b) No person shall be excused from attending, testifying or producing any document or record before the commissioner or in obedience to the subpoena of the commissioner or the commissioner's designee, or in any proceeding instituted by the commissioner, on the ground that such testimony or evidence, documentary or otherwise, required of the person may tend to incriminate the person or subject the person to a penalty or forfeiture. No individual may be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which such person is compelled, after claiming privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that the individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

New Sec. 56. It is unlawful for any person to violate the provisions of this act, any rules and regulations adopted or any order issued under this act. A conviction for an intentional violation is a class A nonperson misdemeanor. A second or subsequent conviction of this section is a severity level 7, nonperson felony. No person may be imprisoned for the violation of this section if such person proves that such person had no knowledge of the act, rules and regulations or order.

New Sec. 57. The commissioner, attorney general or a county or district attorney may bring an action in a district court to enjoin any violation of this act or any rules and regulations adopted thereunder.

New Sec. 58. All fees collected by the commissioner pursuant to this act shall be subject to the provisions of K.S.A. 75-1308, and amendments thereto.";

On page 2, following line 16, by inserting:

"Sec. 61. K.S.A. 9-1204 is hereby amended to read as follows: 9-1204. (a) Any bank may receive deposits from minors or in the name of minors and pay the same upon the order of such minors whether or not such minors are emancipated. Payments so made shall discharge the bank from any further liability on the account person, regardless of age, may become a depositor in any bank and shall be subject to the same duties and liabilities respecting such person's deposits. Whenever a deposit is accepted by any bank in the name of any person, regardless of age, the deposit may be withdrawn by the depositor by any of the following methods:

(1) Check or other instrument in writing. The check or other instrument in writing constitutes a receipt or acquittance if the check or other instrument in writing is signed by the depositor and constitutes a valid release and discharge to the bank for all payments made; or

(2) electronic means through:

(A) Preauthorized direct withdrawal;

(B) an automatic teller machine;

(C) a debit card;

(D) a transfer by telephone;

(E) a network, including the internet; or

(F) any electronic terminal, computer, magnetic tape or other electronic means.

(b) Any bank that accepts deposits from minors 16 years of age or older in the custody of the secretary for children and families, a federally recognized Indian tribe in this state or the secretary of corrections shall not require a cosigner or the funds to be

deposited with the consent of the custodian. Such minor shall be responsible for banking costs or penalties associated with such deposits. The secretary, or their designee, or any foster or biological parent shall not be responsible for banking costs or penalties associated with such deposits.

(c) Any person, regardless of age, individually or with others may enter into an agreement with a bank for the lease of a safe deposit box and shall be bound by the terms of such agreement.

(d) This section shall not be construed to affect the rights, liabilities or responsibilities of participants in an electronic fund transfer under the federal electronic fund transfer act, 15 U.S.C. § 1693 et seq., as in effect on July 1, 2024, and shall not affect the legal relationship between a minor and any person other than the bank.";

On page 6, in line 33, after the second comma by inserting "9-1204, "; following line 33, by inserting:

"Sec. 65. On and after January 1, 2025, K.S.A. 9-508, 9-509, 9-510, 9-510a, 9-511, 9-513, 9-513a, 9-513b, 9-513c, 9-513d and 9-513e and K.S.A. 2023 Supp. 9-512 are hereby repealed.";

Also on page 6, in line 35, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "entities regulated by the office of the state bank commissioner; pertaining to"; in line 4, after the semicolon by inserting "relating to bank deposits, withdrawals and safe deposit box lease agreements; authorizing any person to become a depositor or enter into an agreement for the lease of a safe deposit box; providing methods in which bank deposits may be withdrawn by a depositor; prohibiting banks from requiring a cosigner for an account of a child in the custody of the secretary for children and families, the secretary of corrections or a federally recognized Indian tribe; enacting the Kansas money transmission act; providing oversight thereof by the commissioner; establishing powers, duties and responsibilities of the commissioner; enacting the Kansas earned wage access services act; establishing the administration of such act by the office of the state bank commissioner; providing for registration, bond requirements; duties, prohibited acts, reports, records retention, orders, civil fines, criminal penalties and fees"; also in line 4, after the second comma by inserting "9-1204, "; in line 5, after "sections" by inserting "; also repealing K.S.A. 9-508, 9-509, 9-510, 9-510a, 9-511, 9-513, 9-513a, 9-513b, 9-513c, 9-513d and 9-513e and K.S.A. 2023 Supp. 9-512";

And your committee on conference recommends the adoption of this report.

JEFF LONGBINE

MICHAEL FAGG

JEFF PITTMAN

Conferees on part of Senate

NICK HOHEISEL

WILLIAM CLIFFORD

RUI XU

Conferees on part of House

Senator Longbine moved the Senate adopt the Conference Committee Report on **HB 2560**.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Holland, Pyle, Steffen, Straub, Tyson.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2562** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 4, following line 30, by inserting:

"New Sec. 10. (a) Sections 10 through 13, and amendments thereto, shall be known and may be cited as the Kansas contract for deed act.

(b) As used in sections 10 through 13, and amendments thereto:

(1) "Buyer" means a person who purchases property subject to a contract for deed or any legal successor in interest to the buyer.

(2) "Contract for deed" means an executory agreement in which the seller agrees to convey title to real property to the buyer and the buyer agrees to pay the purchase price in five or more subsequent payments exclusive of the down payment, if any, while the seller retains title to the property as security for the buyer's obligation. Option contracts for the purchase of real property are not contracts for deed.

(3) "Property" means real property located in this state upon which there is located or will be located a structure designed principally for occupancy of one to four families that is or will be occupied by the buyer as the buyer's principal place of residence.

(4) "Seller" means any person who makes a sale of property by means of a contract for deed or any legal successor in interest to the seller.

New Sec. 11. (a) Any contract for deed or affidavit of equitable interest may be recorded in the office of the county register of deeds where the property is located by any interested person.

(b) Following the notice and opportunity to cure provided for in section 13(c), and amendments thereto, the buyer shall have 15 days to:

(1) Record a record of release of affidavit of equitable interest or contract for deed, if such affidavit or contract were recorded; and

(2) vacate the premises, if applicable.

(c) If the buyer fails to satisfy the conditions under subsection (b), then such buyer shall be responsible for the seller's reasonable attorney fees, costs and expenses for the removal of the affidavit of equitable interest or contract for deed from the title and eviction of the buyer from the premises, if applicable.

New Sec. 12. (a) A seller shall not execute a contract for deed with a buyer if the seller does not hold title to the property. Except as provided further, a seller shall maintain fee simple title to the property free from any mortgage, lien or other

encumbrance for the duration of the contract for deed. This subsection shall not apply to a mortgage, lien or encumbrance placed on the property:

- (1) Due to the conduct of the buyer;
- (2) with the agreement of the buyer as a condition of a loan obtained to make improvements on the property; or
- (3) by the seller prior to the execution of the contract for deed if:
 - (A) The seller disclosed the mortgage, lien or encumbrance to the buyer;
 - (B) the seller continues to make timely payments on the outstanding mortgage, lien or other encumbrance;
 - (C) the seller disclosed the contract for deed to the mortgagee, lienholder or other party of interest; and
 - (D) the seller satisfies and obtains a release of the mortgage, lien or other encumbrance not later than the date the buyer makes final payment on the contract for deed unless the buyer assumes the mortgage, lien or other encumbrance as part of the contract for deed.

(b) Any violation of this section is a deceptive act or practice under the provisions of the Kansas consumer protection act and shall be subject to any and all of the enforcement provisions of the Kansas consumer protection act.

New Sec. 13. (a) A buyer's rights under a contract for deed shall not be forfeited or canceled except as provided in this section, notwithstanding any provision in the contract providing for forfeiture of buyer's rights. Nothing in this section shall be construed to limit the power of the district court to require proceedings in equitable foreclosure.

(b) The buyer's rights under a contract for deed shall not be forfeited until the buyer has been notified of the intent to forfeit as provided in subsection (c) and has been given a right to cure the default, and such buyer has failed to do so within the time period allowed. A timely tender of cure shall reinstate the contract for deed.

(c) A notice of default and intent to forfeit shall:

- (1) Reasonably identify the contract and describe the property covered by it;
- (2) specify the terms and conditions of the contract with which the buyer has not complied; and
- (3) notify the buyer that the contract will be forfeited unless the buyer performs the terms and conditions within the following periods of time:
 - (A) If the buyer has paid less than 50% of the purchase price, 30 days from completed service of notice; or
 - (B) if the buyer has paid 50% or more of the purchase price, 90 days from completed service of notice.

(d) A notice of default and intent to forfeit shall be served on the buyer in person, or by leaving a copy at the buyer's usual place of residence with someone of suitable age and discretion who resides at such place of residence, or by certified mail or priority mail, return receipt requested, addressed to the buyer at the buyer's usual place of residence.

(e) Nothing in this section shall be construed to preclude the buyer or the seller from pursuing any other remedy at law or equity.

New Sec. 14. (a) Any restrictive covenant recitals on real property contained in any deed, plat, declaration, restriction, covenant or other conveyance filed at any time in the office of the register of deeds in any county in violation of K.S.A. 44-1016 or 44-1017,

and amendments thereto, shall be void and unenforceable.

(b) A restrictive covenant that violates K.S.A. 44-1016 or 44-1017, and amendments thereto, may be released by the owner of the real property subject to such covenant by recording a certificate of release of prohibited covenants. Such certificate may be recorded prior to recording of a document conveying any interest in such real property or at such other time as the owner discovers that such prohibited covenant exists. Any certificate recorded with the register of deeds shall be subject to recording fees pursuant to K.S.A. 28-115, and amendments thereto. A certificate of release of prohibited covenants shall contain:

- (1) The name of the current owner of the real property;
- (2) a legal description of the real property;
- (3) the volume and page or the document number in which the original document containing the restrictive covenant is recorded;

- (4) a brief description of the restrictive covenant; and

- (5) the citation to the location of the restrictive covenant in the original document.";

On page 9, following line 18, by inserting:

"Sec. 16. K.S.A. 44-1017a is hereby amended to read as follows: 44-1017a. (a) No declaration or other governing document of an association shall include a restrictive covenant in violation of K.S.A. 44-1016 and 44-1017, and amendments thereto.

(b) Within 60 days of the effective date of this act, the board of directors of an association shall amend any declaration or other governing document that includes a restrictive covenant in violation of K.S.A. 44-1016 and 44-1017, and amendments thereto, by removing such restrictive covenant. Such amendment shall not require the approval of the members of the association. No other change shall be required to be made to the declaration or other governing document of the association pursuant to this section. Within 10 days of the adoption of the amendment, the amended declaration or other governing document shall be recorded in the same manner as the original declaration or other governing document and shall be subject to recording fees pursuant to K.S.A. 28-115, and amendments thereto. No fee shall be charged for such recording.

(c) If the commission, a city or county ~~in which~~ where the association is located provides written notice to an association requesting that the association delete a restrictive covenant in violation of K.S.A. 44-1016 and 44-1017, and amendments thereto, the association shall delete the restrictive covenant within 30 days of receiving the notice. If the association fails to delete the restrictive covenant in violation of K.S.A. 44-1016 and 44-1017, and amendments thereto, the commission, a city or county ~~in which~~ where the association is located, or any person adversely affected by such restrictive covenant may bring an action against the homeowners association for injunctive relief to enforce the provisions of subsections (a) and (b) ~~of this section~~. The court may award attorney's fees to the prevailing party.

(d) If a city or county determines that the association is no longer active such that the written notice described in subsection (c) cannot be provided to the association, then the city or county, upon adoption of a resolution by the governing body of such city or county, may remove such restrictive covenant that is in violation of K.S.A. 44-1016 or 44-1017, and amendments thereto, by recording a certificate of release of prohibited covenants in accordance with section 14, and amendments thereto. A resolution may authorize the removal of more than one restrictive covenant that is in violation of K.S.A. 44-1016 or 44-1017, and amendments thereto. No signature or other consent of

any property owner affected by such recording shall be required to record any certificate of release of prohibited covenants pursuant to this subsection. Any such certificate recorded pursuant to this subsection shall not affect the validity of any property interest recorded within the original or redacted plat. No city or county shall incur any liability arising from the recording of any certificate of release of prohibited covenants pursuant to this subsection. No fee shall be charged for any recording filed pursuant to this subsection. Any such recording shall be exempt from the survey requirements of K.S.A. 58-2001 et seq., and amendments thereto.

(e) For the purposes of this section:

(1) "Association" means a non-profit homeowners association as defined in K.S.A. 60-3611, and amendments thereto.

(2) "Commission" means the Kansas human rights commission as defined in K.S.A. 44-1002, and amendments thereto.

~~(e)(f)~~ This section shall be a part of and supplemental to ~~and a part of~~ the Kansas act against discrimination.

Sec. 17. K.S.A. 58-3065 is hereby amended to read as follows: 58-3065. (a) Willful violation of any provision of this act or the brokerage relationships in real estate transactions act is a misdemeanor punishable by imprisonment for not more than 12 months or a fine of not less than \$100 or more than \$1,000, or both, for the first offense and imprisonment for not more than 12 months or a fine of not less than \$1,000 or more than \$10,000, or both, for a second or subsequent offense.

(b) Nothing in this act or the brokerage relationships in real estate transactions act shall be construed as requiring the commission or the director to report minor violations of the acts for criminal prosecution whenever the commission or the director believes that the public interest will be adequately served by other administrative action.

(c) If the commission determines that a person or associated association, corporation, limited liability company, limited liability partnership, partnership, professional corporation or trust has practiced without a valid broker's or salesperson's license issued by the commission, in addition to any other penalties imposed by law, the commission, in accordance with the Kansas administrative procedure act, may issue a cease and desist order against the unlicensed person.;

Also on page 9, in line 19, by striking "is" and inserting ", 44-1017a and 58-3065 are"; in line 21, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "securities" and inserting "consumer protection; relating to financial exploitation, real estate transactions and housing discrimination"; in line 4, after the semicolon by inserting "authorizing the Kansas real estate commission to issue cease and desist orders; regulating contract for deed transactions; providing for certain penalties related thereto; making certain deceptive actions violations of the consumer protection act; prohibiting the recording of unlawful restrictive covenants; authorizing the removal of unlawful restrictive covenants;"; in line 5, after "17-12a412" by inserting ", 44-1017a and 58-3065"; also in line 5, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

JEFF LONGBINE

MICHAEL FAGG

JEFF PITTMAN

Conferees on part of Senate

NICK HOHEISEL

WILLIAM CLIFFORD

RUI XU

Conferees on part of House

Senator Longbine moved the Senate adopt the Conference Committee Report on **HB 2562**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2570** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 64, in line 8, by striking all before "for" and inserting "subsection (a)(4)(C) (ii)";

On page 67, in line 26, by striking "1.00%" and inserting "2.00%";

On page 73, in line 16, by striking "0.18%" and inserting "0.26%"; also in line 16, by striking "0.16%" and inserting "0.23%"; also in line 16, by striking "0.14%" and inserting "0.20%";

On page 74, in line 30, by striking "2.32%" and inserting "2.31%";

On page 75, in line 6, by striking "6.76%" and inserting "6.79%";

On page 104, by striking all in lines 39 through 43;

On page 105, by striking all in lines 1 through 3; following line 3, by inserting:

"(H) if workshare was requested by the employer; and

(I) if workshare was approved for the employer.

(5) Commencing in 2028 and each year thereafter, the annual certification memorandum shall also include the total number, if any, of:

(A) Temporary unemployment weeks requested by the employer;

(B) temporary unemployment weeks approved for the employer;

(C) the claimants who requested temporary unemployment against the employer's account independently from any request for temporary unemployment by the employer; and

(D) the temporary unemployment weeks charged against the employer's account that were claimed independently from any request for temporary unemployment by the employer.";

Also on page 105, in line 4, by striking "(c)" and inserting "(d)"; in line 32, after "thereto" by inserting ", if permitted by subparagraph (C)"; in line 37, by striking "as provided" and inserting "if permitted"; in line 43, by striking "as provided" and inserting "if permitted";

On page 106, in line 8, by striking "The total amount of"; in line 9, after "benefits" by inserting "of eight weeks"; also in line 9, by striking "shall be limited to eight weeks" and inserting "may be granted by the secretary"; in line 17, by striking "pursuant to this subparagraph";

On page 1, in the title, in line 14, after the semicolon by inserting "replacing and"; in line 15, after the semicolon by inserting "lowering the contribution rate for new employers and new employers engaged in the construction industry"; in line 28, by striking all after "unemployment"; in line 29, by striking all before "when"; in line 31, by striking "annually"; also in line 31, by striking "additional"; in line 32, by striking "and to" and inserting a comma; in line 33, after "memorandum" by inserting "and publish contribution rate information and schedules"; in line 36, by striking "one-time" and inserting "calculated";

On page 2, also in the title, in line 1, by striking the second "employers" and inserting "employer's"; in line 2, by striking all after "balance"; by striking all in line 3; in line 4, by striking the first "secretary";

And your committee on conference recommends the adoption of this report.

RENEE ERICKSON
BRENDA DIETRICH
USHA REDDI

Conferees on part of Senate

SEAN TARWATER
JESSE BORJON
JASON PROBST

Conferees on part of House

Senator Erickson moved the Senate adopt the Conference Committee Report on **Sub HB 2570**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2614** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 8 through 35;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 15; following line 15, by inserting:

"Section 1. K.S.A. 25-1121 is hereby amended to read as follows: 25-1121. (a) The secretary of state shall prescribe the general forms of advance voting ballots to be used in all primary and general elections and the form of the printed instructions to voters containing a statement of all the requirements of this act, to enable voters to comply with the requirements of this act. The prescribed forms shall be transmitted to the county election officers 35 days before each primary and general election.

(b) The secretary of state shall prescribe the general format of advance voting ballot envelopes. The envelopes shall include:

(1) A signature block for the advance voter;

(2) a signature block for the person, if any, assisting the advance voter; and a signature block for a person, if any, who signs the advance voting ballot envelope on behalf of the advance voter in situations when the advance voter is physically unable to sign the envelope if the voter is physically unable to sign the envelope;

(3) a signature block for the person, if any, who is authorized by the voter to deliver the advance voting ballot to the county election office;

(4) a designated block for the person described in paragraph (3) to print such person's full name; and

(5) the following statement: "K.S.A. 25-2437 prohibits the transmission or delivery of more than 10 advance voting ballots by any one person."

(c) The advance ballot envelope shall contain the following statement after the signature block provided for the person who signs the advance ballot envelope on behalf of a person physically unable to sign such envelope:

"My signature constitutes an affidavit that the person for whom I signed the envelope is a person who is physically unable to sign such envelope. By signing this envelope, I swear this information is true and correct, and that signing an advance ballot envelope under false pretenses shall constitute the crime of perjury."

Sec. 2. K.S.A. 25-1128 is hereby amended to read as follows: 25-1128. (a) No voter shall knowingly mark or transmit to the county election officer more than one advance voting ballot, or set of one of each kind of ballot, if the voter is entitled to vote more than one such ballot at a particular election.

(b) Except as provided in K.S.A. 25-1124, and amendments thereto, no person shall knowingly interfere with or delay the transmission of any advance voting ballot application from a voter to the county election officer, nor shall any person mail, fax or otherwise cause the application to be sent to a place other than the county election office. Any person or group engaged in the distribution of advance voting ballot applications shall mail, fax or otherwise deliver any application signed by a voter to the county election office within two days after such application is signed by the applicant.

(c) Except as otherwise provided by law, no person other than the voter, shall

knowingly mark, sign or transmit to the county election officer any advance voting ballot or advance voting ballot envelope.

(d) Except as otherwise provided by law, no person shall knowingly sign an application for an advance voting ballot for another person. This provision shall not apply if a voter has a disability preventing the voter from signing an application or if an immediate family member signs an application on behalf of another immediate family member with proper authorization being given.

(e) No person, unless authorized by K.S.A. 25-1122 or 25-1124, and amendments thereto, shall knowingly intercept, interfere with, or delay the transmission of advance voting ballots from the county election officer to the voter.

(f) No person shall knowingly and falsely affirm, declare or subscribe to any material fact in an affirmation form for an advance voting ballot or set of advance voting ballots.

(g) (1) A voter may return such voter's advance voting ballot to the county election officer by personal delivery or by mail. Subject to the provisions of K.S.A. 25-2437, and amendments thereto, a person other than the voter may return the advance voting ballot by personal delivery or mail if authorized by the voter in writing as provided in K.S.A. 25-2437, and amendments thereto, except that a written designation shall not be required from a voter who has a disability preventing the voter from writing or signing a written designation. Any such person designated by the voter shall sign a statement in accordance with K.S.A. 25-2437, and amendments thereto.

(2) Each county election officer shall record the name of each individual who delivers an advance voting ballot on behalf of another voter and maintain a record of the number of such ballots returned by such individual to the county election office. If any such individual returns more than 10 advance voting ballots for an election, the county election officer shall file a complaint with the secretary of state and the county or district attorney for such county alleging a violation of K.S.A. 25-2437, and amendments thereto.

(h) Except as otherwise provided by federal law, no person shall knowingly backdate or otherwise alter a postmark or other official indication of the date of mailing of an advance voting ballot returned to the county election officer by mail for the purpose of indicating a date of mailing other than the actual date of mailing by the voter or the voter's designee.

(i) Violation of any provision of this section is a severity level 9, nonperson felony.

Sec. 3. K.S.A. 25-2407 is hereby amended to read as follows: 25-2407. Corrupt political advertising is:

(a) (1) Publishing or causing to be published in a newspaper or other periodical any paid matter ~~which that~~ expressly advocates the nomination, election or defeat of any candidate, unless such matter is followed by the word "advertisement" or the abbreviation "adv." in a separate line together with the name of the chairman of the political or other organization inserting the same or the name of the person who is responsible therefor; or

(2) broadcasting or causing to be broadcast by any radio or television station any paid matter ~~which that~~ expressly advocates the nomination, election or defeat of any candidate, unless such matter is followed by a statement ~~which that~~ states: "Paid for" or "Sponsored by" followed by the name of the sponsoring organization and the name of the chairperson ~~or treasurer~~ of the political or other organization sponsoring the same or

the name of the person who is responsible therefor; or

(3) publishing or causing to be published in a newspaper or other periodical any paid matter ~~which that~~ is intended to influence the vote of any person or persons for or against any question submitted for a proposition to amend the constitution or to authorize the issuance of bonds or any other question submitted at an election, unless such matter is followed by the word "advertisement" or the abbreviation "adv." in a separate line together with the name of the chairman of the political or other organization inserting the same or the name of the person who is responsible therefor;

(4) broadcasting or causing to be broadcast by any radio or television station any paid matter ~~which that~~ is intended to influence the vote of any person or persons for or against any question submitted for a proposition to amend the constitution or to authorize the issuance of bonds or any other question submitted at an election, unless such matter is followed by a statement which states: "Paid for" or "Sponsored by" followed by the name of the sponsoring organization and the name of the chairperson ~~or treasurer~~ of the political or other organization sponsoring the same or the name of the person who is responsible therefor; or

(5) publishing or causing to be published any brochure, flier or other political fact sheet ~~which that~~ is intended to influence the vote of any person or persons for or against any question submitted for a proposition to amend the constitution or to authorize the issuance of bonds or any other question submitted at an election, unless such matter is followed by a statement which states: "Paid for" or "Sponsored by" followed by the name of the sponsoring organization and the name of the chairperson ~~or treasurer~~ of the political or other organization sponsoring the same or the name of the individual who is responsible therefor.

(b) Corrupt political advertising is a class C misdemeanor.

(c) For the purposes of this section, the term "expressly advocate the nomination, election or defeat of a candidate" shall have the meaning ascribed to it in K.S.A. 25-4143, and amendments thereto.

Sec. 4. K.S.A. 25-4156 is hereby amended to read as follows: 25-4156. (a) (1) Whenever any person sells space in any newspaper, magazine or other periodical to a candidate or to a candidate committee, party committee or political committee, the charge made for the use of such space shall not exceed the charges made for comparable use of such space for other purposes.

(2) Intentionally charging an excessive amount for political advertising is a class A nonperson misdemeanor.

(b) (1) Except as provided in paragraph (2), corrupt political advertising of a state or local office is:

(A) Publishing or causing to be published in a newspaper or other periodical any paid matter that expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is followed by the word "advertisement" or the abbreviation "adv." in a separate line together with the name of the chairperson ~~or treasurer~~ of the political or other organization sponsoring the same or the name of the individual who is responsible therefor;

(B) broadcasting or causing to be broadcast by any radio or television station any paid matter that expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is followed by a statement that states: "Paid for" or "Sponsored by" followed by the name of the

sponsoring organization and the name of the chairperson ~~or treasurer~~ of the political or other organization sponsoring the same or the name of the individual who is responsible therefor;

(C) telephoning or causing to be contacted by any telephonic means including, but not limited to, any device using a voice over internet protocol or wireless telephone, any paid matter that expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is preceded by a statement that states: "Paid for" or "Sponsored by" followed by the name of the sponsoring organization and the name of the chairperson ~~or treasurer~~ of the political or other organization sponsoring the same or the name of the individual who is responsible therefor;

(D) publishing or causing to be published any brochure, flier or other political fact sheet that expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless such matter is followed by a statement that states: "Paid for" or "Sponsored by" followed by the name of the chairperson ~~or treasurer~~ of the political or other organization sponsoring the same or the name of the individual who is responsible therefor.

The provisions of this subparagraph ~~(D)~~ requiring the disclosure of the name of an individual shall not apply to individuals making expenditures in an aggregate amount of less than \$2,500 within a calendar year; or

(E) making or causing to be made any website, e-mail or other type of internet communication that expressly advocates the nomination, election or defeat of a clearly identified candidate for a state or local office, unless the matter is followed by a statement that states: "Paid for" or "Sponsored by" followed by the name of the chairperson ~~or treasurer~~ of the political or other organization sponsoring the same or the name of the individual who is responsible therefor.

The provisions of this subparagraph ~~(E)~~ requiring the disclosure of the name of an individual shall apply only to any website, email or other type of internet communication that is made by the candidate, the candidate's candidate committee, a political committee or a party committee and the website, email or other internet communication viewed by or disseminated to at least 25 individuals. For the purposes of this subparagraph, the terms "candidate," "candidate committee," "party committee" and "political committee" shall have the meanings ascribed to them in K.S.A. 25-4143, and amendments thereto.

(2) The provisions of subsections (b)(1)(C) and ~~(E)~~ (b)(1)(E) shall not apply to the publication of any communication that expressly advocates the nomination, election or defeat of a clearly identified candidate for state or local office, if such communication is made over any social media provider ~~which~~ that has a character limit of 280 characters or fewer.

(3) Corrupt political advertising of a state or local office is a class C nonperson misdemeanor.

(c) If any provision of this section or application thereof to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of this section that can be given effect without the invalid application or provision, and to this end the provisions of this section are declared to be severable. If any provision or clause of this section or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or

applications of this section that can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 5. K.S.A. 25-1121, 25-1128, 25-2407 and 25-4156 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 7, in line 16, after "after" by inserting "January 1, 2025, and"; in line 17, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 4 and inserting "elections; relating to election crimes; requiring certain information be provided on advance voting ballot envelopes; directing county election officers to record the name of individuals returning advance voting ballots on behalf of another voter and the number of such ballots returned; requiring county election officers to file complaints if laws regulating the return of such ballots are violated; removing the requirement to provide the name of the treasurer of the sponsoring organization of a political advertisement; amending K.S.A. 25-1121, 25-1128, 25-2407 and 25-4156";

And your committee on conference recommends the adoption of this report.

MICHAEL THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

PAT PROCTOR

PAUL WAGGONER

BRANDON WOODARD

Conferees on part of House

Senator Thompson moved the Senate adopt the Conference Committee Report on **HB 2614**.

On roll call, the vote was: Yeas 26; Nays 13; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

I voted "YES" on **HB 2614** because safe and secure elections are a goal I embrace and strive for. Also, I clearly understand that this goal is achieved intentionally and not achieved unintentionally.—MARK STEFFEN

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2618** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 25-2436 is hereby amended to read as follows: 25-2436. (a) The provisions of this section shall be known and may be cited as the transparency in revenues underwriting elections act.

(b) As used in this section:

(1) "Election official" means any county election officer or the chief state election official, as such terms are defined in K.S.A. 25-2504, and amendments thereto, and any officer or employee of such election official.

(2) "Federal government" means any branch, agency, department, office, bureau or instrumentality of the government of the United States.

(3) "Governmental agency" means the state or any agency or political subdivision or instrumentality thereof.

(4) "Person" means any individual, corporation, partnership, company, organization, political party, political committee or any other private entity.

(c) ~~(1)~~ No election official shall knowingly accept or expend any moneys, directly or indirectly, from any person, except as provided in any acts of appropriation or as otherwise provided by state law, for any expenditures related to conducting, funding or otherwise facilitating the administration of an election pursuant to law.

(2) No governmental agency, including, but not limited to, any election official, shall knowingly accept or expend any moneys, directly or indirectly, from the federal government, except as provided in any acts of appropriation or as otherwise provided by state law, for any expenditures related to conducting, funding or otherwise facilitating the administration of an election pursuant to law or for any election-related activities, including, but not limited to, voter registration and voter assistance. Provided that such expenditures are authorized by acts of appropriation or state law, any moneys received from the federal government shall only be expended for those purposes authorized by an act of congress appropriating such moneys.

(d) The provisions of this section shall not apply to:

(1) Any moneys collected by an election official from the payment of fees or assessed costs as required by law; or

(2) any moneys received as campaign contributions for any candidate for the office of county clerk.

(e) A violation of this section is a severity level 9, nonperson felony.";

Also on page 1, in line 24, after "K.S.A." by inserting "25-2436 and"; also in line 24, by striking "is" and inserting "are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "the"; also in line 1, by striking all after "election"; in line 2, by striking all before the semicolon and inserting "crimes; prohibiting the use of funds provided by the United States government for the conduct of elections or election-related activities unless approved by the legislature"; in line 3, by striking "such criminal" and inserting "the"; also in line 3, after "offense" by inserting "of false representation of an election official"; also in line 3, after "K.S.A." by inserting "25-2436 and"; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

MICHAEL THOMPSON

RICK KLOOS

Conferees on part of Senate

PAT PROCTOR

PAUL WAGGONER

Conferees on part of House

Senator Thompson moved the Senate adopt the Conference Committee Report on **HB 2618**.

On roll call, the vote was: Yeas 26; Nays 13; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

I voted "YES" on **HB 2618** because safe and secure elections are a goal I embrace and strive for. Also, I clearly understand that this goal is achieved intentionally and not achieved unintentionally.—MARK STEFFEN

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2711** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, following line 16, by inserting:

"New Section 1. The provisions of sections 1 through 7, and amendments thereto, shall be known and may be cited as the countries of concern divestment act.

New Sec. 2. As used in this act:

(a) "Act" means the countries of concern divestment act.

(b) "Company" means any:

(1) For-profit corporation, partnership, limited partnership, limited liability partnership, limited liability company, joint venture, trust, association, sole proprietorship or other organization, including any:

(A) Subsidiary of such company, a majority ownership interest of which is held by such company;

(B) parent company that holds a majority ownership of such company; and

(C) other affiliate or business association of such company whose primary purpose is to make a profit; or

(2) nonprofit organization.

(c) (1) "Country of concern" means the following:

(A) People's republic of China, including the Hong Kong special administrative region;

(B) republic of Cuba;

(C) islamic republic of Iran;

(D) democratic people's republic of Korea;

- (E) Russian federation; and
 - (F) Bolivarian republic of Venezuela.
 - (2) "Country of concern" does not include the republic of China (Taiwan).
 - (d) "Covered transaction" means the same as defined in 31 C.F.R. § 800.213, as in effect on July 1, 2024.
 - (e) "Covered control transaction" means the same as defined in 31 C.F.R. § 800.210, as in effect on July 1, 2024.
 - (f) "Domicile" means the country where:
 - (1) A company is organized;
 - (2) a company completes a substantial portion of its business; or
 - (3) a majority of a company's ownership interest is held.
 - (g) "Person" means an individual.
 - (h) "Person owned or controlled by or subject to the jurisdiction or direction of a country of concern" means any:
 - (1) Person, wherever located, who is a citizen of a nation-state controlled by a country of concern, unless such person is a lawful permanent resident of the United States; or
 - (2) corporation, partnership, association or other organization organized under the laws of a nation-state controlled by a country of concern.
 - (i) "State agency" means any department, authority, bureau, division, office or other governmental agency of this state.
 - (j) "State-managed fund" means:
 - (1) The Kansas public employees retirement fund managed by the board of trustees of the Kansas public employees retirement system in accordance with K.S.A. 74-4921, and amendments thereto;
 - (2) the pooled money investment portfolio managed by the pooled money investment board in accordance with article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto; and
 - (3) any other fund that is sponsored or managed by a state agency.
- New Sec. 3. (a) (1) Notwithstanding the provisions of K.S.A. 74-4921, and amendments thereto, or any other statute to the contrary, and except as provided in paragraph (2), a state-managed fund shall sell, redeem, divest or withdraw all publicly traded securities of any country of concern or person owned or controlled by or subject to the jurisdiction or direction of a country of concern in accordance with the following schedule:
- (A) At least 50% of such assets shall be removed from the state-managed fund's assets under management not later than July 1, 2025, or one year from the date section 2, and amendments thereto, is amended to include such country of concern if amended after July 1, 2024, unless the state-managed fund determines that a later date is more prudent based on a good faith exercise of the state-managed fund's fiduciary discretion and subject to subparagraph (B); and
 - (B) 100% of such assets shall be removed from the state-managed fund's assets under management not later than January 1, 2026, or one year from the date section 2, and amendments thereto, is amended to include such country of concern if amended after July 1, 2024.
- (2) If a country of concern takes action to prohibit or restrict the selling, redeeming, divesting or withdrawing of publicly traded securities of any country of concern or

person owned or controlled by or subject to the jurisdiction or direction of a country of concern beyond the scheduled removal dates provided in paragraph (1), the state-managed fund shall remove 100% of such assets from the state-managed fund's assets not later than one year from the date that such action is ended by such country of concern.

(b) A state-managed fund shall not knowingly acquire securities of any country of concern or person owned or controlled by or subject to the jurisdiction or direction of a country of concern.

(c) A state-managed fund shall not invest or make a deposit in any bank that is domiciled in a country of concern.

New Sec. 4. (a) Notwithstanding the provisions of K.S.A. 74-4921, and amendments thereto, or any other statute to the contrary, a state-managed fund shall divest from any indirect holdings in actively or passively managed investment funds containing publicly traded securities of any country of concern or person owned or controlled by or subject to the jurisdiction or direction of a country of concern. Such state-managed fund may submit letters to the managers of each investment fund containing publicly traded securities of any country of concern or person owned or controlled by or subject to the jurisdiction or direction of a country of concern requesting that they remove such publicly traded securities from the fund or create a similar actively or passively managed fund with indirect holdings devoid of such publicly traded securities. If a manager creates a similar fund with substantially the same management fees and substantially the same level of investment risk and anticipated return, the state-managed fund may replace all applicable investments with investments in the similar fund in a time frame consistent with prudent fiduciary standards but not later than the 450th day after the date the fund is created. If a manager does not create such similar fund, the state-managed fund shall divest from such indirect holdings in actively or passively managed investment funds.

(b) (1) The provisions of this act shall not apply to any real estate or private equity investment commitment made by a state-managed fund prior to July 1, 2024, or to a real estate or private equity investment commitment made by a state-managed fund prior to the date that section 2, and amendments thereto, is amended to include a country of concern, if amended after July 1, 2024.

(2) On and after July 1, 2024, a state-managed fund shall not make any new real estate or private equity investment commitment in a person owned or controlled by or subject to the jurisdiction of a country of concern.

New Sec. 5. Not later than the first day of the regular session of the legislature, each year, each state-managed fund shall file a report with the legislature and the Kansas public employees retirement system shall also file such report with the joint committee on pensions, investments and benefits that:

(a) Identifies all securities sold, redeemed, divested or withdrawn in compliance with section 3(a), and amendments thereto;

(b) identifies amendments to section 2, and amendments thereto, that add or remove a country of concern after the later of July 1, 2024, or the last date such information was reported under this section; and

(c) summarizes any changes made under section 4, and amendments thereto.

New Sec. 6. In a cause of action based on an action, inaction, decision, divestment, investment, report or other determination made or taken in compliance with this act,

without regard to whether the person performed services for compensation, the state shall indemnify and hold harmless for actual damages, court costs and attorney fees adjudged against members of a state-managed fund or any other officers of such state-managed fund related to the act or omission on which the damages are based and defend the state-managed fund and any of such state-managed fund's current and former employees.

New Sec. 7. (a) The provisions of this act shall expire on July 1, 2029.

(b) On or after July 1, 2028, but before July 15, 2028, the Kansas public employees retirement system shall notify the speaker of the house of representatives, the president of the senate and the chairperson of the joint committee on pensions, investments and benefits that this act is scheduled to expire on July 1, 2029.";

On page 12, following line 40, by inserting:

"Sec. 10. K.S.A. 2023 Supp. 74-4921 is hereby amended to read as follows: 74-4921. (1) There is hereby created in the state treasury the Kansas public employees retirement fund. All employee and employer contributions shall be deposited in the state treasury to be credited to the Kansas public employees retirement fund. The fund is a trust fund and shall be used solely for the exclusive purpose of providing benefits to members and member beneficiaries and defraying reasonable expenses of administering the fund. Investment income of the fund shall be added or credited to the fund as provided by law. All benefits payable under the system, refund of contributions and overpayments, purchases or investments under the law and expenses in connection with the system unless otherwise provided by law shall be paid from the fund. The director of accounts and reports is authorized to draw warrants on the state treasurer and against such fund upon the filing in the director's office of proper vouchers executed by the chairperson or the executive director of the board. As an alternative, payments from the fund may be made by credits to the accounts of recipients of payments in banks, savings and loan associations and credit unions. A payment shall be so made only upon the written authorization and direction of the recipient of payment and upon receipt of such authorization such payments shall be made in accordance therewith. Orders for payment of such claims may be contained on:

(a) A letter, memorandum, telegram, computer printout or similar writing; or

(b) any form of communication, other than voice, which is registered upon magnetic tape, disc or any other medium designed to capture and contain in durable form conventional signals used for the electronic communication of messages.

(2) The board shall have the responsibility for the management of the fund and shall discharge the board's duties with respect to the fund solely in the interests of the members and beneficiaries of the system for the exclusive purpose of providing benefits to members and such member's beneficiaries and defraying reasonable expenses of administering the fund and shall invest and reinvest moneys in the fund and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of the fund within the limitations and according to the powers, duties and purposes as prescribed by this section.

(3) Moneys in the fund shall be invested and reinvested to achieve the investment objective which is preservation of the fund to provide benefits to members and member beneficiaries, as provided by law and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this act. No moneys in the fund shall be invested or reinvested if any investment objective is for economic

development or social purposes or objectives.

(4) In investing and reinvesting moneys in the fund and in acquiring, retaining, managing and disposing of investments of the fund, the board shall exercise the judgment, care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence, discretion and intelligence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the fund so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so, and not in regard to speculation but in regard to the permanent disposition of similar funds, considering the probable income as well as the probable safety of their capital.

(5) Notwithstanding subsection (4):

(a) Total investments in common stock may be made in the amount of up to 60% of the total book value of the fund;

(b) the board may invest or reinvest moneys of the fund in alternative investments if the following conditions are satisfied:

(i) The total of the annual net commitment to alternative investments does not exceed 5% of the total market value of investment assets of the fund as measured from the end of the preceding calendar year;

(ii) if in addition to the system, there are at least two other qualified institutional buyers, as defined by section (a)(1)(i) of rule 144A, securities act of 1933;

(iii) the system's share in any individual alternative investment is limited to an investment representing not more than 20% of any such individual alternative investment;

(iv) the system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of alternative investment;

(v) the alternative investment is consistent with the system's investment policies and objectives as provided in subsection (6);

(vi) the individual alternative investment does not exceed more than 2.5% of the total alternative investments made under this subsection. If the alternative investment is made pursuant to participation by the system in a multi-investor pool, the 2.5% limitation contained in this subsection is applied to the underlying individual assets of such pool and not to investment in the pool itself. The total of such alternative investments made pursuant to participation by the system in any one individual multi-investor pool shall not exceed more than 20% of the total of alternative investments made by the system pursuant to this subsection. Nothing in this subsection requires the board to liquidate or sell the system's holdings in any alternative investments made pursuant to participation by the system in any one individual multi-investor pool held by the system on the effective date of this act, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and be prudent under the standards contained in this section. The 20% limitation contained in this subsection shall not have been violated if the total of such investment in any one individual multi-investor pool exceeds 20% of the total alternative investments of the fund as a result of market forces acting to increase the value of such a multi-investor pool relative to the rest of the system's alternative investments; however, the board shall not invest or reinvest any moneys of the fund in any such individual multi-investor pool until the value of such individual multi-investor pool is less than 20% of the total alternative

investments of the fund;

(vii) the board has received and considered the investment manager's due diligence findings submitted to the board as required by subsection (6);

(viii) prior to the time the alternative investment is made, the system has in place procedures and systems to ensure that the investment is properly monitored and investment performance is accurately measured; and

(ix) the total of alternative investments does not exceed ~~15%~~ 25% of the total investment assets of the fund. The ~~15%~~ 25% limitation contained in this subsection shall not have been violated if the total of such alternative investments exceeds ~~15%~~ 25% of the total investment assets of the fund, based on the fund total market value, as a result of market forces acting to increase the value of such alternative investments relative to the rest of the system's investments. However, the board shall not invest or reinvest any moneys of the fund in alternative investments until the total value of such alternative investments is less than ~~15%~~ 25% of the total investment assets of the fund based on the market value. If the total value of the alternative investments exceeds ~~15%~~ 25% of the total investment assets of the fund, the board shall not be required to liquidate or sell the system's holdings in any alternative investment held by the system, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and is prudent under the standards contained in this section;

(c) for purposes of this section, "alternative investment" includes a broad group of investments that are not one of the traditional asset types of public equities, fixed income, cash or real estate. Alternative investments are generally made through limited partnership or similar structures, are not regularly traded on nationally recognized exchanges and thus are relatively illiquid, and exhibit lower correlations with more liquid asset types such as stocks and bonds. Alternative investments generally include, but are not limited to, private equity, private credit, hedge funds, infrastructure, commodities and other investments that have the characteristics described in this paragraph; and

(d) except as otherwise provided, the board may invest or reinvest moneys of the fund in real estate investments if the following conditions are satisfied:

(i) The system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of real estate investment;

(ii) the real estate investment is consistent with the system's investment policies and objectives as provided in subsection (6); and

(iii) the system has received and considered the investment manager's due diligence findings.

(6) (a) Subject to the objective set forth in subsection (3) and the standards set forth in subsections (4) and (5) the board shall formulate policies and objectives for the investment and reinvestment of moneys in the fund and the acquisition, retention, management and disposition of investments of the fund. Such policies and objectives shall include:

(i) Specific asset allocation standards and objectives;

(ii) establishment of criteria for evaluating the risk versus the potential return on a particular investment;

(iii) a requirement that all investment managers submit such manager's due diligence findings on each investment to the board or investment advisory committee

for approval or rejection prior to making any alternative investment;

(iv) a requirement that all investment managers shall immediately report all instances of default on investments to the board and provide the board with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment; and

(v) establishment of criteria that would be used as a guideline for determining when no additional add-on investments or reinvestments would be made and when the investment would be liquidated.

(b) The board shall review such policies and objectives, make changes considered necessary or desirable and readopt such policies and objectives on an annual basis.

(7) The board may enter into contracts with one or more persons whom the board determines to be qualified, whereby the persons undertake to perform the functions specified in subsection (2) to the extent provided in the contract. Performance of functions under contract so entered into shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts and shall be based on specific contractual fee arrangements. The system shall not pay or reimburse any expenses of persons contracted with pursuant to this subsection, except that after approval of the board, the system may pay approved investment related expenses subject to provisions of appropriation acts. The board shall require that a person contracted with to obtain commercial insurance which provides for errors and omissions coverage for such person in an amount to be specified by the board, provided that such coverage shall be at least the greater of \$500,000 or 1% of the funds entrusted to such person up to a maximum of \$10,000,000. The board shall require a person contracted with to give a fidelity bond in a penal sum as may be fixed by law or, if not so fixed, as may be fixed by the board, with corporate surety authorized to do business in this state. Such persons contracted with the board pursuant to this subsection and any persons contracted with such persons to perform the functions specified in subsection (2) shall be deemed to be agents of the board and the system in the performance of contractual obligations.

(8) (a) In the acquisition or disposition of securities, the board may rely on the written legal opinion of a reputable bond attorney or attorneys, the written opinion of the attorney of the investment counselor or managers, or the written opinion of the attorney general certifying the legality of the securities.

(b) The board shall employ or retain qualified investment counsel or counselors or may negotiate with a trust company to assist and advise in the judicious investment of funds as herein provided.

(9) (a) Except as provided in subsection (7) and this subsection, the custody of money and securities of the fund shall remain in the custody of the state treasurer, except that the board may arrange for the custody of such money and securities as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safekeeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. The services provided by the banks or trust companies shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts.

(b) The state treasurer and the board shall collect the principal and interest or other income of investments or the proceeds of sale of securities in the custody of the state treasurer and pay same when so collected into the fund.

(c) The principal and interest or other income or the proceeds of sale of securities as provided in this subsection shall be reported to the state treasurer and the board and credited to the fund.

(10) The board shall with the advice of the director of accounts and reports establish the requirements and procedure for reporting any and all activity relating to investment functions provided for in this act in order to prepare a record monthly of the investment income and changes made during the preceding month. The record will reflect a detailed summary of investment, reinvestment, purchase, sale and exchange transactions and such other information as the board may consider advisable to reflect a true accounting of the investment activity of the fund.

(11) The board shall provide for an examination of the investment program annually. The examination shall include an evaluation of current investment policies and practices and of specific investments of the fund in relation to the objective set forth in subsection (3), the standard set forth in subsection (4) and other criteria as may be appropriate, and recommendations relating to the fund investment policies and practices and to specific investments of the fund as are considered necessary or desirable. The board shall include in its annual report to the governor as provided in K.S.A. 74-4907, and amendments thereto, a report or a summary thereof covering the investments of the fund.

(12) Any internal assessment or examination of alternative investments of the system performed by any person or entity employed or retained by the board which evaluates or monitors the performance of alternative investments shall be reported to the legislative post auditor so that such report may be reviewed in accordance with the annual financial-compliance audits conducted pursuant to K.S.A. 74-49,136, and amendments thereto.";

On page 21, in line 10, by striking the third "and" and inserting a comma; also in line 10, after "74-4914" by inserting "and 74-4921";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "retirement and pensions" and inserting "state-managed funds"; also in line 1, after "to" by inserting "investment procedures, standards and requirements therefor and certain retirement benefits therefrom; enacting the countries of concern divestment act; requiring divestment from investments with countries of concern and providing exceptions therefor; prohibiting investments and deposits with any bank or company domiciled in a country of concern; indemnifying state-managed funds with respect to actions taken in compliance with such act; providing an expiration date for such act; relating to"; in line 2, after the semicolon by inserting "Kansas public employees retirement fund; increasing the statutory alternative investment percentage limit to 25%; increasing the"; in line 14, by striking the first "and" and inserting a comma; also in line 14, after "74-4914" by inserting "and 74-4921";

And your committee on conference recommends the adoption of this report.

JEFF LONGBINE

MICHAEL FAGG

JEFF PITTMAN

Conferees on part of Senate

NICK HOHEISEL
 WILLIAM CLIFFORD
 RUI XU

Conferees on part of House

Senator Longbine moved the Senate adopt the Conference Committee Report on **HB 2711**.

On roll call, the vote was: Yeas 30; Nays 8; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Pettey, Pittman, Reddi, Straub, Sykes, Ware, Warren, Wilborn.

Nays: Doll, Holland, Olson, Pyle, Shallenburger, Steffen, Thompson, Tyson.

Present and Passing: Petersen.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2787** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 11, by inserting:

"New Section 1. (a) All matters relating to the insolvency or impairment of any member insurer placed under an order of liquidation by a court of competent jurisdiction with a finding of insolvency before the effective date, or for which the association otherwise exercises its powers and duties under K.S.A. 40-3008, and amendments thereto, before July 1, 2024, including past, present and future assessments and credits, shall be governed by the provisions of this act that were in effect before July 1, 2024.

(b) All matters relating to the insolvency or impairment of any member insurer placed under an order of liquidation by a court of competent jurisdiction with a finding of insolvency on or after the effective date of this section, or for which the association otherwise exercises its powers and duties under K.S.A. 40-3008, and amendments thereto, on or after July 1, 2024, shall be governed by the provisions of the act in effect on the date such actions are officially taken.";

On page 6, following line 42, by inserting:

"Sec. 6. K.S.A. 40-3002 is hereby amended to read as follows: 40-3002. (a) The purpose of this act is to protect, subject to certain limitations, the persons specified in ~~subsection (a) of K.S.A. 40-3003, and amendments thereto, against failure in the performance of contractual obligations, under life and health insurance policies and annuity policies, plans and contracts specified in subsection (b) of K.S.A. 40-3003, and amendments thereto, because of the impairment or insolvency of the member insurer that issued the policies or contracts.~~

(b) To provide this protection, an association of member insurers is created to pay benefits and to continue coverages as limited herein, and members of the association are

subject to assessment to provide funds to carry out the purpose of this act.

Sec. 7. K.S.A. 40-3003 is hereby amended to read as follows: 40-3003. (a) This act shall provide coverage; for the policies, plans and contracts specified in subsection (b), for:

(1) Persons who, regardless of where they reside, except for nonresident certificate holders under group policies or contracts, are the beneficiaries, assignees, payees or providers of the persons covered under paragraph (2); and

(2) persons who are ~~owners, policyholders or contract holders~~ of or certificate holders or enrollees under such policies or contracts other than structured settlement annuities, and who are:

(A) ~~Are~~ Residents;

(B) ~~are~~ not residents, but only with respect to an annuity contract awarded pursuant to K.S.A. 60-3407 or 60-3409, and amendments thereto, an annuity contract for future economic loss procured pursuant to a settlement agreement in a medical malpractice liability action, as defined by K.S.A. 60-3401, and amendments thereto, or fixed-return accounts of the Kansas public employees deferred compensation plan under K.S.A. 74-49b08 through 74-49b14, and amendments thereto; or

(C) ~~are~~ not residents, but only under all of the following conditions:

(i) The member insurers ~~which that~~ issued such policies or contracts are domiciled in this state;

(ii) the states in which such persons reside have one or more associations similar to the association created by this act; and

(iii) the persons are not eligible for coverage by an association in any other state due to the fact that the insurer or health maintenance organization was not licensed in the state at the time specified in the state's guaranty association law.

(3) (A) Paragraphs (1) and (2) ~~of this subsection~~ shall not apply to structured settlement annuities.

(B) Except as provided in paragraphs (4) and (5) ~~of this subsection~~, this act shall provide coverage to a person who is a payee under a structured settlement annuity, or beneficiary of a payee if the payee is deceased, if the payee:

(i) (a) Is a resident, regardless of where the contract holder resides; or

(b) is not a resident, but only under both of the following conditions:

(1) The contract holder of the structured settlement annuity is a resident; or

(2) the contract holder of the structured settlement annuity is not a resident, but:

(A) The insurer that issued the structured settlement annuity is domiciled in this state; and

(B) the state in which the contract holder resides has an association similar to the association created by this act; and

(ii) neither the payee or beneficiary nor the contract holder is eligible for coverage by the association of the state in which the payee or contract holder resides.

(4) This act shall not provide coverage to a person who:

(A) Is a payee or beneficiary of a contract holder resident of this state, if the payee or beneficiary is afforded any coverage by the association of another state; or

(B) acquires rights to receive payments through a structured settlement factoring transaction as defined in 26 U.S.C. 5891(c)(3)(A), regardless of whether the transaction occurred before or after such section became effective.

(5) This act is intended to provide coverage to a person who is a resident of this

state and, in special circumstances, to a nonresident. In order to avoid duplicate coverage, if a person who would otherwise receive coverage under this act is provided coverage under the laws of any other state, the person shall not be provided coverage under this act. In determining the application of the provisions of this paragraph in situations where a person could be covered by the association of more than one state, whether as a policyholder, contract holder, payee, enrollee, beneficiary or assignee, this act shall be construed in conjunction with other state laws to result in coverage by only one association.

(b)(1) This act shall provide coverage to the persons specified in subsection (a) for ~~policies or contracts of direct, nongroup life insurance, health, insurance or annuity policies or contracts, annuities and supplemental contracts or unallocated annuity contracts covering individuals participating in a governmental deferred compensation plan established under section 457 of the U.S. internal revenue code pursuant to K.S.A. 74-49b08 through 74-49b14, and amendments thereto, whether or not a resident, or the beneficiaries of each such individual if deceased, and for certificates under direct group policies and contracts issued by member insurers, except as limited by this act.~~

(2) As used in this act, health insurer includes health maintenance organization subscriber contracts and certificates.

Sec. 8. K.S.A. 40-3005 is hereby amended to read as follows: 40-3005. As used in this act:

(a) "Account" means ~~either any~~ of the three accounts created under K.S.A. 40-3006, and amendments thereto;

(b) "association" means the Kansas life and health insurance guaranty association created under K.S.A. 40-3006, and amendments thereto;

(c) "commissioner" means the commissioner of insurance of this state;

(d) "contractual obligation" means any obligation of a policy or contract or certificate under a group policy or contract, or portion thereof, for which coverage is provided under K.S.A. 40-3003, and amendments thereto;

(e) "covered contract" or "covered policy" means any policy or contract within the scope of this act for which coverage is provided under K.S.A. 40-3003, and amendments thereto;

(f) "extra-contractual claims" shall include, for example, claims relating to bad faith in the payment of claims, punitive or exemplary damages or attorney fees and costs;

(g) "health benefit plan" means any hospital or medical expense policy or certificate, or health maintenance organization subscriber contract or any other similar health contract. "Health benefit plan" does not include:

(1) Accident only insurance;

(2) credit insurance;

(3) dental only insurance;

(4) vision only insurance;

(5) medicare supplement insurance;

(6) benefits for long-term care, home healthcare, community-based care or any combination thereof;

(7) disability income insurance;

(8) coverage for on-site medical clinics; and

(9) specified disease, hospital confinement indemnity or limited benefit health insurance if the types of coverage do not provide coordination of benefits and are

provided under separate policies or certificates;

~~(g)~~(h) "impaired insurer" means a member insurer ~~which, that,~~ after the effective date of this act, is not an insolvent insurer; and is placed under an order of rehabilitation or conservation by a court of competent jurisdiction;

~~(g)~~(i) "insolvent insurer" means a member insurer ~~which, that,~~ after the effective date of this act, is placed under an order of liquidation by a court of competent jurisdiction with a finding of insolvency;

~~(h)~~(j) "member insurer" means any insurer or health maintenance organization licensed or holding a certificate of authority to transact in this state any kind of insurance or health maintenance organization business for which coverage is provided under K.S.A. 40-3003, and amendments thereto, and includes any insurer or health maintenance organization whose license or certificate of authority in this state may have been suspended, revoked, nonrenewed or voluntarily withdrawn, but does not include:

(1) A hospital or medical service organization regardless of whether such hospital or medical service organization is organized for profit or not-for-profit;

(2) ~~a health maintenance organization;~~

~~(3)~~ a fraternal benefit society;

~~(4)~~(3) a mandatory state pooling plan;

~~(5)~~(4) a mutual assessment company or any entity that operates on an assessment basis;

~~(6)~~(5) an insurance exchange, except a reciprocal or interinsurance exchange governed by the provisions of article 16 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto; ~~or~~

~~(6)~~ an organization that has a certificate or license limited to the issuance of charitable gift annuities; or

(7) any entity similar to any of the organizations listed in paragraphs (1) through ~~(6)~~ inclusive;

~~(i)~~(k) "Moody's corporate bond yield average" means the monthly average corporates as published by Moody's investors service, inc., or any successor thereto;

~~(j)~~(l) "person" means any individual, corporation, partnership, association, voluntary organization or provider;

~~(k)~~(m) "policyholder" and "contract holder" means the person who is identified as the legal owner under the terms of the policy or contract or who is otherwise vested with legal title to the policy or contract through a valid assignment completed in accordance with the terms of the policy or contract and properly recorded as the owner on the books of the member insurer. The terms "policyholder" and "contract holder" do not include persons with a mere beneficial interest in a policy or contract;

~~(l)~~(n) "provider" means a person who is entitled to receive compensation for providing medical services to an insured or enrollee covered under any health insurance or health maintenance organization contract, certificate or policy issued by a member insurer, regardless of whether the provider is obligated by statute or by agreement with the member insurer to hold any insured or enrollee covered by any health insurance or health maintenance organization contract, certificate or policy harmless from liability for services;

~~(m)~~(o) "premiums" means amounts received on covered policies or contracts less premiums, considerations and deposits returned thereon, and less dividends and experience credits thereon. Premiums does not include any amounts received for any

policies or contracts or for the portions of any policies or contracts for which coverage is not provided under ~~subsection (b)~~ of K.S.A. 40-3003, and amendments thereto, except that assessable premiums shall not be reduced on accounts for ~~subsection (n)(3)~~ of K.S.A. 40-3008, and amendments thereto, relating to interest limitations and ~~subsection (o)(2)~~ of K.S.A. 40-3008, and amendments thereto, relating to limitations with respect to any one life and any one policyholder or contract holder. Premiums shall not include:

(1) Any premiums on any unallocated annuity contract; or
 (2) any premiums in excess of \$5,000,000 with respect to multiple nongroup policies of life insurance owned by one policyholder or contract holder, regardless of the number of policies or contracts held by the policyholder or contract holder and regardless of whether:

(A) The policyholder is an individual, firm, corporation or other person; and
 (B) the persons insured are officers, managers, employees or other persons;
~~(n)(p)~~ "resident" means any person who resides in this state at the time a member insurer is determined by court order to be an impaired or insolvent insurer and to whom a contractual obligation is owed. A person may be a resident of only one state, which, in the case of a person other than a natural person, shall be its principal place of business. Citizens of the United States that are either residents of foreign countries or residents of United States possessions, territories or protectorates that do not have an association similar to the association created by this act, shall be deemed residents of the state of domicile of the member insurer that issued the policies or contracts;

~~(n)(q)~~ "structured settlement annuity" means an annuity purchased in order to fund periodic payments for a plaintiff or other claimant in payment for or with respect to personal injury suffered by the plaintiff or other claimant, but excludes an annuity policy or contract awarded pursuant to K.S.A. 60-3407 or 60-3409, and amendments thereto;

~~(n)(r)~~ "supplemental contract" means any written agreement entered into for the distribution of proceeds under a life, health or annuity policy or contract; and

~~(n)(s)~~ "unallocated annuity contract" means any annuity contract or group annuity certificate ~~which that~~ is not issued to and owned by an individual, except to the extent of any annuity benefits guaranteed to an individual by an insurer under such contract or certificate.

Sec. 9. K.S.A. 40-3006 is hereby amended to read as follows: 40-3006. (a) There is hereby created a nonprofit legal entity to be known as the Kansas life and health insurance guaranty association. All member insurers shall be and remain members of the association as a condition of their license or authority to transact insurance or health maintenance organization business in this state. The association shall perform its functions under the plan of operation established and approved under K.S.A. 40-3010, and amendments thereto, and shall exercise its powers through a board of directors established under K.S.A. 40-3007, and amendments thereto. For purposes of administration and assessment, the association shall maintain three accounts:

(1) ~~The Health insurance~~ account;
 (2) ~~the~~ life insurance account; and
 (3) ~~the~~ annuity account, excluding unallocated annuities.
 (b) The association shall come under the immediate supervision of the commissioner and shall be subject to the applicable provisions of the insurance laws of

this state. Meetings or records of the association may be opened upon majority vote of the board of directors of the association.

Sec. 10. K.S.A. 40-3007 is hereby amended to read as follows: 40-3007. (a) The board of directors of the association shall consist of not ~~less~~ fewer than five nor more than nine member insurers serving terms as established in the plan of operation. The members of the board shall be selected by member insurers subject to the approval of the commissioner. Vacancies on the board shall be filled for the remaining periods of the terms by a majority vote of the remaining board members, subject to the approval of the commissioner. ~~To select the initial board of directors, and initially organize the association, the commissioner shall give notice to all member insurers of the time and place of the organizational meeting. In determining voting rights at the organizational meeting each member insurer shall be entitled to one vote in person or by proxy. If the board of directors is not selected within 60 days after notice of the organizational meeting, the commissioner may appoint the initial members.~~

(b) In approving selections or in appointing members to the board, the commissioner shall consider, among other things, whether all member insurers are fairly represented.

(c) Members of the board may be reimbursed from the assets of the association for expenses incurred by them as members of the board of directors but members of the board shall not otherwise be compensated by the association for their services.

(d) The terms of each member appointed and serving on the board of directors as of July 1, 2024, shall continue until the expiration of each member's current term. Upon expiration of each member's term, the commissioner shall decide whether to continue each member's position on the board or reduce the number of members of the board of directors in accordance with paragraph (e).

(e) On and after January 1, 2025, the board of directors shall consist of not fewer than five but not more than nine members appointed in accordance with this paragraph. Members of the board of directors shall be selected by member insurers subject to the approval of the commissioner. Each member of the board of directors shall be appointed for a term of three years, except that members shall be removable by the commissioner for inefficiency, neglect of duty or malfeasance.

Sec. 11. K.S.A. 40-3008 is hereby amended to read as follows: 40-3008. (a) If a member insurer is an impaired insurer, the association may, in its discretion and subject to any conditions imposed by the association that do not impair the contractual obligations of the impaired insurer and that are approved by the commissioner that:

(1) Guarantee, assume, reissue or reinsure, or cause to be guaranteed, assumed, reissued or reinsured, any or all of the policies or contracts of the impaired insurer; and

(2) provide such moneys, pledges, loans, notes, guarantees or other means as are proper to effectuate the provisions of paragraph (1) and assure payment of the contractual obligations of the impaired insurer pending action under paragraph (1).

(b) If a member insurer is an insolvent insurer, the association shall, in its discretion, either:

(1) (A) (i) Guarantee, assume, reissue or reinsure; or cause to be guaranteed, assumed or reinsured, the policies or contracts of the insolvent insurer; or

(ii) assure payment of the contractual obligations of the insolvent insurer; and

(B) provide such moneys, pledges, loans, notes, guarantees or other means as are reasonably necessary to discharge such duties; or

(2) with respect to ~~life and health insurance policies and annuities policies and contracts~~, provide benefits and coverages in accordance with subsection (c).

(c) When proceeding under ~~paragraph (2)~~ of subsection (b)(2), the association shall:

(1) Assure payment of benefits for premiums identical to the premiums and benefits, ~~except for terms of conversion and renewability~~, that would have been payable under the policies or contracts of the insolvent insurer, for claims incurred:

(A) With respect to group policies and contracts, not later than the earlier of the next renewal date under such policies or contracts or 45 days, but in no event less than 30 days, after the date on which the association becomes obligated with respect to such policies and contracts;

(B) with respect to nongroup policies, contracts and annuities not later than the earlier of the next renewal date, if any, under such policies or contracts or one year, but in no event less than 30 days, from the date on which the association becomes obligated with respect to such policies or contracts;

(2) make diligent efforts to provide all known insureds, enrollees, annuitants or group policyholders or contract holders with respect to group policies and contracts, 30 days' notice of the termination of the benefits provided; and

(3) with respect to nongroup ~~life and health insurance policies and annuities policies and contracts covered by the association~~, make available to each known insured, enrollee or annuitant, or owner if other than the insured or annuitant, and with respect to an individual formerly an insured, enrollee, or an annuitant under a group policy or contract who is not eligible for replacement group coverage, make available substitute coverage on an individual basis in accordance with the provisions of paragraph (4), if the insureds, enrollees or annuitants had a right under law or the terminated policy, contract or annuity to convert coverage to individual coverage or to continue an individual policy, contract or annuity in force until a specified age or for a specified time, during which the insurer or health maintenance organization had no right unilaterally to make changes in any provision of the policy, contract or annuity or had a right only to make changes in premium by class;

(4) (A) in providing the substitute coverage required under paragraph (3), the association may offer either to reissue the terminated coverage or to issue an alternative policy or contract at actuarially justified rates;

(B) alternative or reissued policies or contracts shall be offered without requiring evidence of insurability, and shall not provide for any waiting period or exclusion that would not have applied under the terminated policy or contract; and

(C) the association may reinsure any alternative or reissued policy or contract;

(5) (A) alternative policies or contracts adopted by the association shall be subject to the approval of the commissioner. The association may adopt alternative policies or contracts of various types for future issuance without regard to any particular impairment or insolvency;

(B) alternative policies or contracts shall contain at least the minimum statutory provisions required in this state and provide benefits that shall not be unreasonable in relation to the premiums charged. The association shall set the premiums in accordance with a table of rates ~~which that~~ it shall adopt. The premiums shall reflect the amount of insurance or coverage to be provided and the age and class of risk of each insured; or enrollee but shall not reflect any changes in the health of the insured or enrollee after

the original policy or contract was last underwritten;

(C) any alternative policy or contract issued by the association shall provide coverage of a type similar to that of the policy or contract issued by the impaired or insolvent insurer, as determined by the association;

(6) if the association elects to reissue the insured's terminated coverage at a premium rate different from that charged under the terminated policy or contract, the premium shall be actuarially justified and set by the association in accordance with the amount of insurance or coverage provided and the age and class of risk, subject to prior approval of the domiciliary insurance commissioner and the receivership court.

(d) The association's obligations with respect to coverage under any policy or contract of the impaired or insolvent insurer or under any reissued or alternative policy or contract shall cease on the date such coverage or policy or contract is replaced by another similar policy or contract by the policyholder or contract holder, the insured, the enrollee or the association.

(e) When proceeding under ~~paragraph (2) of subsection (b)(2)~~ with respect to any policy or contract carrying guaranteed minimum interest rates, the association shall assure the payment or crediting of a rate of interest consistent with subsection ~~(n)(3)~~ (o)(3).

(f) Nonpayment of premiums within 31 days after the date required under the terms of any guaranteed, assumed, alternative or reissued policy or contract or substitute coverage shall terminate the association's obligations under such policy, contract or coverage under this act with respect to such policy, contract or coverage, except with respect to any claims incurred or any net cash surrender value ~~which that~~ may be due in accordance with the provisions of this act.

(g) Premiums due after entry of an order of liquidation of an insolvent insurer shall belong to and be payable at the direction of the association, and the association shall be liable for unearned premiums due to ~~policy or contract owners~~ policyholders or contract holders arising after the entry of such order.

(h) The protection provided by this act shall not apply where any guaranty protection is provided to residents of this state by the laws of the domiciliary state or jurisdiction of the impaired or insolvent insurer other than this state.

(i) In carrying out its duties under subsection (b), the association may, subject to approval by a court in this state:

(1) Impose permanent policy or contract liens in connection with any guarantee, assumption or reinsurance agreement, if the association finds that the amounts ~~which that~~ can be assessed under this act are less than the amounts needed to assure full and prompt performance of the association's duties under this act, or that the economic or financial conditions as they affect member insurers are sufficiently adverse to render the imposition of such permanent policy or contract liens to be in the public interest; and

(2) impose temporary moratoriums or liens on payments of cash values and policy loans, or any other right to withdraw funds held in conjunction with policies or contracts, in addition to any contractual provisions for deferral of cash or policy loan value. In addition, in the event of a temporary moratorium or moratorium charge imposed by the receivership court on payment of cash values or policy loans or on any other right to withdraw funds held in conjunction with policies or contracts, out of the assets of the impaired or insolvent insurer, the association may defer the payment of cash values, policy loans or other rights by the association for the period of the

moratorium or moratorium charge imposed by the receivership court, except for claims covered by the association to be paid in accordance with a hardship procedure established by the liquidator or rehabilitator and approved by the receivership court.

(j) A deposit in this state, held pursuant to law or required by the commissioner for the benefit of creditors, including policyholders or contract holders, not turned over to the domiciliary liquidator upon the entry of a final order of liquidation or order approving a rehabilitation plan of a member insurer domiciled in this state or in a reciprocal state, pursuant to K.S.A. 40-222b, and amendments thereto, shall be promptly paid to the association. The association shall be entitled to retain a portion of any amount so paid equal to the percentage determined by dividing the aggregate amount of policyholders' or contract holders' claims related to that insolvency for which the association has provided statutory benefits by the aggregate amount of all policyholders' or contract holders' claims in this state related to that insolvency and shall remit to the domiciliary receiver the amount so paid to the association less the amount retained pursuant to this subsection. Any amount so paid to the association and retained by such association shall be treated as a distribution of estate assets pursuant to applicable state receivership law dealing with early access disbursements.

(k) If the association fails to act within a reasonable period of time as provided in subsections (b) and (c), the commissioner shall have the powers and duties of the association under this act with respect to impaired or insolvent insurers.

~~(k)(l)~~ The association may render assistance and advice to the commissioner, upon request, concerning rehabilitation, payment of claims, continuance of coverage or the performance of other contractual obligations of any impaired or insolvent insurer.

~~(h)(m)~~ (1) The association shall have standing to appear or intervene before any court in this state with jurisdiction over:

(A) An impaired or insolvent insurer concerning that which the association is or may become obligated under this act; or

(B) any person or property against which the association may have rights through subrogation or otherwise.

(2) Such standing shall extend to all matters germane to the powers and duties of the association, including, but not limited to, proposals for reinsuring, reissuing or guaranteeing the covered policies of the impaired or insolvent insurer and the determination of the covered policies or contracts and contractual obligations.

(3) The association shall also have the right to appear or intervene before a court in another state with jurisdiction over an impaired or insolvent insurer for which the association is or may become obligated or with jurisdiction over ~~a third party~~ any person or property against whom the association may have rights through subrogation of the insurer's policyholders or otherwise.

~~(m)(n)~~ (1) Any person receiving benefits under this act shall be deemed to have assigned the rights under, and any cause of action relating to, the covered policy or contract to the association to the extent of the benefits received because of this act, whether the benefits are payments of or on account of contractual obligations, continuation of coverage or provision of substitute or alternative policies, contracts or coverages. The association may require an assignment to it of such rights and cause of action by any enrollee, payee, policy or contract owner, policyholder, contract holder, beneficiary, insured or annuitant as a condition precedent to the receipt of any right or benefits conferred by this act upon such person.

(2) The subrogation rights of the association under this subsection shall have the same priority against the assets of the impaired or insolvent insurer as that possessed by the person entitled to receive benefits under this act.

(3) In addition to paragraphs (1) and (2), the association shall have all common-law rights of subrogation and any other equitable or legal remedy ~~which that~~ would have been available to the impaired or insolvent insurer or ~~holder of a policy policyholder~~ or contract ~~holder, beneficiary, enrollee or payee of a policy or contract~~ with respect to such policy or contracts, including, without limitation, in the case of a structured settlement annuity, any rights of the owner, beneficiary or payee of the annuity, to the extent of benefits received pursuant to this act, against a person originally or by succession responsible for the losses arising from the personal injury relating to the annuity or payment therefor, excepting any such person responsible solely by reason of serving as an assignee regarding a qualified assignment pursuant to 26 U.S.C. § 130.

(4) If the preceding provisions of this subsection are invalid or ineffective with respect to any person or claim for any reason, the amount payable by the association with respect to the related covered obligations shall be reduced by the amount realized by any other person with respect to the person or claim that is attributable to the policies or contracts, or portion thereof, covered by the association.

(5) If the association has provided benefits with respect to a covered obligation and a person recovers amounts as to which the association has rights as described in the preceding paragraphs of this subsection, then the person shall pay to the association the portion of the recovery attributable to the policies or contracts, or portion thereof, covered by the association.

~~(n)(o) The contractual obligations of the impaired or insolvent insurer for which the association becomes, or may become, liable shall be as great as but no greater than the contractual obligations of the impaired or insolvent insurer would have been in the absence of an impairment or insolvency unless such obligations are reduced as permitted by this act but~~ Except for subsection (p), the association shall not provide coverage for:

(1) Any portion of a policy or contract not guaranteed by the member insurer, or under which the risk is borne by the ~~policy policyholder~~ or contract holder;

(2) any policy or contract of reinsurance, unless assumption certificates have been issued;

(3) any portion of a policy or contract to the extent that the rate of interest on which it is based, or the interest rate, crediting rate or similar factor determined by use of an index or other external reference stated in the policy or contract employed in calculating returns or changes in value:

(A) Averaged over the period of four years prior to the date on which the association becomes obligated with respect to such policy or contract, exceeds a rate of interest determined by subtracting two percentage points from Moody's corporate bond yield average averaged for that same four-year period or for such lesser period if the policy or contract was issued less than four years before the association became obligated; and

(B) on and after the date on which the association becomes obligated with respect to such policy or contract, exceeds the rate of interest determined by subtracting three percentage points from Moody's corporate bond yield average as most recently available;

(4) any plan or program of an employer, association or similar entity to provide life, health or annuity benefits to its employees or members to the extent that such plan or program is self-funded or uninsured, including, but not limited to, benefits payable by an employer, association or similar entity under:

(A) ~~A multiple employer welfare arrangement as defined in section 3 (40) of the employee retirement income security act of 1974 (29 U.S.C. § 1002(40))~~ 29 U.S.C. § 1144;

(B) a minimum premium group insurance plan;

(C) a stop-loss group insurance plan; or

(D) an administrative services only contract;

(5) any portion of a policy or contract to the extent that it provides dividends or experience rating credits, voting rights or provides that any fees or allowances be paid to any person, including ~~the policy policyholder~~ or contract holder, in connection with the service to or administration of such policy or contract;

(6) any policy or contract issued in this state by a member insurer at a time when it was not licensed or did not have a certificate of authority to issue such policy or contract in this state;

(7) any unallocated annuity contract, except as provided in ~~subsection (b) of~~ K.S.A. 40-3003, and amendments thereto;

(8) a portion of a policy or contract to the extent that the assessments required by K.S.A. 40-3009, and amendments thereto, with respect to the policy or contract are preempted by federal or state law;

(9) an obligation that does not arise under the express written terms of the policy or contract issued by the member insurer to the enrollee, certificate holder, contract holder or policyholder, including, without limitation:

(A) Claims based on marketing materials;

(B) claims based on side letters, riders or other documents that were issued by the member insurer without meeting applicable policy or contract form filing or approval requirements;

(C) misrepresentations of or regarding policy or contract benefits;

(D) extra contractual claims; or

(E) a claim for penalties or consequential or incidental damages;

(10) a contractual agreement that establishes the member insurer's obligations to provide a book value accounting guaranty for defined contribution benefit plan participants by reference to a portfolio of assets that is owned by the benefit plan or its trustee, and, in each case, is not an affiliate of the member insurer;

(11) a policy or contract providing any hospital, medical, prescription drug or other health care healthcare benefits pursuant to part C or part D of subchapter XVIII, chapter 7 of title 42 of the United States code (commonly known as medicare part C & and D), or subchapter xix, chapter 7 of title 42 of the United States code, commonly known as medicaid, or any regulations issued pursuant thereto;~~or~~

~~(9)~~(12) (A) any portion of a policy or contract:

(i) To the extent it provides for interest or other changes in value to be determined by the use of an index or other external reference stated in the policy or contract; but which have not been credited to the policy or contract; or

(ii) as to which ~~the policy policyholder~~ or contract ~~owner's holder's~~ rights are subject to forfeiture, as of the date the member insurer becomes an impaired or

insolvent insurer under this act, whichever is earlier.

(B) If a policy's or contract's interest or changes in value are credited less frequently than annually, then for purposes of determining the values that have been credited and ~~which~~ are not subject to forfeiture under this paragraph, the interest or change in value determined by using the procedures defined in the policy or contract shall be credited as if the contractual date of crediting interest or changing values was the date of impairment or insolvency, whichever is earlier, and shall not be subject to forfeiture; or

(13) structured settlement annuity benefits to which a payee or beneficiary has transferred such payee's or beneficiary's rights in a structured settlement factoring transaction, as defined in 26 U.S.C. § 5891(c)(3)(A), regardless of whether the transaction occurred before or after such section became effective.

(p) The exclusion from coverage reference in subsection (o)(3) shall not apply to any portion of a policy or contract, including a rider, that provides long-term care or any other health insurance benefits.

~~(o)(q)~~ The benefits for which the association may become liable shall in no event exceed the lesser of:

(1) The contractual obligations for which the member insurer is liable or would have been liable if it were not an impaired or insolvent insurer; or

(2) with respect to any one life, regardless of the number of policies or contracts:
(A) \$300,000 in life insurance death benefits, but not more than \$100,000 in net cash surrender and net cash withdrawal values for life insurance;

(B) ~~in~~ for health insurance benefits:

(i) \$100,000 for coverages not defined as disability income insurance or ~~basic hospital, medical and surgical insurance or major medical insurance~~ health benefit plans or long-term care insurance including any net cash surrender and net cash withdrawal values;

(ii) \$300,000 for disability income insurance and \$300,000 for long-term care insurance;

(iii) \$500,000 ~~for basic hospital, medical and surgical insurance or major medical insurance~~ health benefit plans;

(C) \$250,000 in the present value of annuity benefits, including net cash surrender and net cash withdrawal values;

(D) with respect to each payee of a structured settlement annuity (or beneficiary or beneficiaries of the payee if deceased), \$250,000 in present value annuity benefits, in the aggregate, including net cash surrender and net cash withdrawal values;

(E) however, in no event shall the association be obligated to cover more than:

~~(i)~~ (i) An aggregate of \$300,000 in benefits with respect to any one life as provided in ~~paragraphs subparagraphs~~ (A), (B), (C) and (D) ~~of this subsection~~ except with respect to benefits for ~~basic hospital, medical and surgical insurance and major medical insurance~~ health benefit plans under ~~(o) subsection (q)(2)(B)(iii) of this subsection~~, in which case the aggregate liability of the association shall not exceed \$500,000 with respect to any one individual; or

~~(2)(ii)~~ (ii) with respect to one ~~owner holder~~ owner holder of multiple nongroup policies or contracts of life insurance, whether the ~~policy owner policyholder or contract holder~~ owner holder is an individual, firm, corporation or other person; and whether the persons insured are officers, managers, employees or other persons, more than \$5,000,000 in benefits,

regardless of the number of policies and contracts held by the ~~owner~~ policyholder or contract holder;

(F) the limitations set forth in this paragraph are limitations on the benefits for which the association is obligated before taking into account either its subrogation and assignment rights or the extent to which those benefits could be provided out of the assets of the impaired or insolvent insurer attributable to covered policies. The costs of the association's obligations under this act may be met by the use of assets attributable to covered policies or reimbursed to the association pursuant to its subrogation and assignment rights;

(G) the guaranty association's limits of liability with respect to the obligations of any impaired or insolvent insurer shall be the limits of liability in effect under this act on the date the guaranty association became liable for that impaired or insolvent insurer;

(H) for purposes of this act, benefits provided by a long-term care rider to a life insurance policy or annuity contract shall be considered the same type of benefits as the base life insurance policy or annuity contract to which it relates;

(I) in performing its obligations to provide coverage under this section, the association shall not be required to guarantee, assume, reinsure, reissue or perform, or cause to be guaranteed, assumed, reinsured, reissued or performed, the contractual obligations of the insolvent or impaired insurer under a covered policy or contract that do not materially affect the economic values or economic benefits of the covered policy or contract.

The provisions of subsection ~~(e)~~(q) shall not apply to annuity contracts for future economic loss procured pursuant to a judgment or settlement agreement in a medical malpractice liability action.

~~(p)~~(r) The association may:

(1) Enter into such contracts as are necessary or proper to carry out the provisions and purposes of this act;

(2) sue or be sued, including taking any legal actions necessary or proper to recover any unpaid assessments under K.S.A. 40-3009, and amendments thereto, and to settle claims or potential claims against it;

(3) borrow money to effect the purposes of this act. Any notes or other evidence of indebtedness of the association not in default shall be legal investments for domestic insurers and may be carried as admitted assets;

(4) employ or retain such persons as are necessary to handle the financial transactions of the association, and to perform such other functions as become necessary or proper under this act;

(5) take such legal action as may be necessary to avoid or recover payment of improper claims; or

(6) exercise, for the purposes of this act and to the extent approved by the commissioner, the powers of a domestic life-~~or~~ insurer, health insurer or health maintenance organization, but in no case may the association issue insurance policies or annuity contracts other than those issued to perform its obligations under this act;

(7) organize itself as a corporation or in other legal form permitted by the laws of the state;

(8) request information from a person seeking coverage from the association in order to aid the association in determining its obligations under this act with respect to the person, and such person shall promptly comply with the request;

(9) in accordance with the terms and conditions of the policy or contract, file for actuarially justified rate or premium increases for any policy or contract for which it provides coverage under this act; and

(10) take other necessary or appropriate action to discharge its duties and obligations under this act or to exercise its powers under this act.

~~(q)~~(s) The association may join an organization of one or more other state associations of similar purposes to further the purposes and administer the powers and duties of the association.

~~(r) The association shall pay any and all persons who, as a provider, may have claims as a result of a member insurer being found insolvent between March 1, 1999 and June 1, 1999.~~

(t) (1) (A) At any time within 180 days of the date of the order of liquidation, the association may elect to succeed to the rights and obligations of the ceding member insurer that relate to policies, contracts or annuities covered, in whole or in part, by the association, in each case under any one or more reinsurance contracts entered into by the insolvent insurer and its reinsurers and selected by the association. Any such assumption shall be effective as of the date of the order of liquidation. The election shall be effected by the association or the national organization of life and health insurance guaranty associations (NOLHGA), on its behalf, sending written notice with return receipt requested to the affected reinsurers.

(B) To facilitate the earliest practicable decision about whether to assume any of the contracts of reinsurance, and in order to protect the financial position of the estate, the receiver and each reinsurer of the ceding member insurer shall make available upon request to the association or to NOLHGA on its behalf as soon as possible after commencement of formal delinquency proceedings:

(i) Copies of in-force contracts of reinsurance and all related files and records relevant to the determination of whether such contracts should be assumed; and

(ii) notices of any defaults under the reinsurance contracts or any known event or condition that with the passage of time could become a default under the reinsurance contracts.

(C) The following subparagraphs shall apply to reinsurance contracts so assumed by the association:

(i) The association shall be responsible for all unpaid premiums due under the reinsurance contracts for periods both before and after the date of the order of liquidation and shall be responsible for the performance of all other obligations to be performed after the date of the order of liquidation, in each case relating to policies, contracts or annuities covered, in whole or in part, by the association. The association may charge policies, contracts or annuities covered in part by the association, through reasonable allocation methods, the costs for reinsurance in excess of the obligations of the association and shall provide notice and an accounting of these charges to the liquidator;

(ii) the association shall be entitled to any amounts payable by the reinsurer under the reinsurance contracts with respect to losses or events that occur in periods after the date of the order of liquidation and that relate to policies, contracts or annuities covered, in whole or in part, by the association, provided that, upon receipt of any such amounts, the association shall be obliged to pay to the beneficiary under the policy, contract or annuity on account of which the amounts were paid a portion of the amount equal to the

lesser of:

(a) The amount received by the association; and
 (b) the excess of the amount received by the association over the amount equal to the benefits paid by the association on account of the policy, contract or annuity less the retention of the insurer applicable to the loss or event.

(iii) Within 30 days following the association's election, the "election date," the association and each reinsurer under contracts assumed by the association shall calculate the net balance due to or from the association under each reinsurance contract as of the election date with respect to policies, contracts or annuities covered, in whole or in part, by the association. Such calculation shall give full credit to all items paid by either the member insurer or its receiver or the reinsurer prior to the election date. The reinsurer shall pay the receiver any amounts due for losses or events prior to the date of the order of liquidation, subject to any set-off for premiums unpaid for periods prior to the date, and the association or reinsurer shall pay any remaining balance due the other, in each case within five days of the completion of the aforementioned calculation. Any disputes over the amounts due to either the association or the reinsurer shall be resolved by arbitration pursuant to the terms of the affected reinsurance contracts or, if the contract contains no arbitration clause, as otherwise provided by law. If the receiver has received any amounts due the association pursuant to subparagraph (C)(ii), the receiver shall remit such amounts to the association as promptly as practicable.

(iv) If the association or receiver, on the association's behalf, within 60 days of the election date, pays the unpaid premiums due for periods both before and after the election date that relate to policies, contracts or annuities covered, in whole or in part, by the association, the reinsurer shall not be entitled to terminate the reinsurance contracts for failure to pay premiums insofar as the reinsurance contracts relate to policies, contracts or annuities covered, in whole or in part, by the association, and shall not be entitled to set off any unpaid amounts due under other contracts or unpaid amounts due from parties other than the association against amounts due the association.

(2) During the period from the date of the order of liquidation until the election date, or, if the election date does not occur, until 180 days after the date of the order of liquidation:

(A) (i) Neither the association nor the reinsurer shall have any rights or obligations under reinsurance contracts that the association has the right to assume under paragraph (1), whether for periods prior to or after the date of the order of liquidation; and

(ii) the reinsurer, the receiver and the association shall, to the extent practicable, provide each other data and records reasonably requested;

(B) provided that once the association has elected to assume a reinsurance contract, the parties' rights and obligations shall be governed by paragraph (1).

(3) If the association does not elect to assume a reinsurance contract by the election date pursuant to paragraph (1), the association shall have no rights or obligations, in each case for periods both before and after the date of the order of liquidation, with respect to the reinsurance contract.

(4) When policies, contracts or annuities, or covered obligations with respect thereto are transferred to an assuming insurer, reinsurance on the policies, contracts or annuities may also be transferred by the association, in the case of contracts assumed under subsection (t)(1), subject to the following:

(A) Unless the reinsurer and the assuming insurer agree otherwise, the reinsurance contract transferred shall not cover any new policies of insurance, contracts or annuities in addition to those transferred;

(B) the obligations described in subsection (t)(1) shall no longer apply with respect to matters arising after the effective date of the transfer; and

(C) notice shall be given in writing, with return receipt requested, by the transferring party to the affected reinsurer not less than 30 days prior to the effective date of the transfer.

(5) The provisions of this subsection shall supersede the provisions of any state law or any affected reinsurance contract that provides for or requires any payment of reinsurance proceeds, on account of losses or events that occur in periods after the date of the order of liquidation, to the receiver of the insolvent insurer or any other person. The receiver shall remain entitled to any amounts payable by the reinsurer under the reinsurance contracts with respect to losses or events that occur in periods prior to the date of the order of liquidation, subject to applicable setoff provisions.

(6) Except as otherwise provided in this subsection, nothing in this subsection shall alter or modify the terms and conditions of any reinsurance contract. Nothing in this section shall abrogate or limit any rights of any reinsurer to claim that such reinsurer is entitled to rescind a reinsurance contract. Nothing in this section shall give a policyholder, contract owner, enrollee, certificate holder or beneficiary an independent cause of action against a reinsurer that is not otherwise set forth in the reinsurance contract. Nothing in this section shall limit or affect the association's rights as a creditor of the estate against the assets of the estate. Nothing in this section shall apply to reinsurance agreements covering property or casualty risks.

(u) The board of directors of the association shall have discretion and may exercise reasonable business judgment to determine the means by which the association is to provide the benefits of this act in an economical and efficient manner.

(v) Where the association has arranged or offered to provide the benefits of this act to a covered person under a plan or arrangement that fulfills the association's obligations under this act, the person shall not be entitled to benefits from the association in addition to or other than those provided under the plan or arrangement.

(w) Venue in a suit against the association arising under this act shall be in Shawnee County. The association shall not be required to give an appeal bond in an appeal that relates to a cause of action arising under this act.

(s) Regarding covered policies for which the association becomes obligated after an entry of an order of liquidation, to the extent such contract provides coverage for losses occurring after the date of the order of liquidation, the association may elect to succeed to the rights of the insolvent insurer arising after the order of liquidation under any contract of reinsurance to which the insolvent insurer was a party. As a condition to making such election, the association must pay all unpaid premiums due under the contract for coverage relating to periods before and after the date on which the order of liquidation was entered.

(t)(x) In carrying out its duties in connection with guaranteeing, assuming, reissuing or reinsuring policies or contracts under subsections (a) or (b), ~~subject to approval of the receivership court,~~ the association may issue substitute coverage for a policy or contract that provides an interest rate, crediting rate or similar factor determined by use of an index or other external reference stated in the policy or contract

employed in calculating returns or changes in value by issuing an alternative policy or contract in accordance with the following provisions:

(1) In lieu of the index or other external reference provided for in the original policy or contract, the alternative policy or contract provides for:

- ~~(i)~~(A) A fixed interest rate;
- ~~(ii)~~(B) payment of dividends with minimum guarantees; or
- ~~(iii)~~(C) a different method for calculating interest or changes in value.

(2) There is no requirement for evidence of insurability, waiting period or other exclusion that would not have applied under the replaced policy or contract; and

(3) the alternative policy or contract is substantially similar to the replaced policy or contract in all other material terms.

Sec. 12. K.S.A. 40-3009 is hereby amended to read as follows: 40-3009. (a) For the purpose of providing the funds necessary to carry out the powers and duties of the association, the board of directors shall assess the member insurers, separately for each account, at such time and for such amounts as the board finds necessary. Assessments shall be due not less than 30 days after prior written notice to the member insurers and shall accrue interest at 15% per annum on and after the due date.

(b) There shall be two classes of assessments, as follows: (1) Class A assessments shall be made for the purpose of meeting administrative and legal costs and other expenses and examinations conducted under the authority of subsection (e) of K.S.A. 40-3012, and amendments thereto. Class A assessments may be made whether or not related to a particular impaired or insolvent insurer.

(2) Class B assessments shall be made to the extent necessary to carry out the powers and duties of the association under K.S.A. 40-3008, and amendments thereto, with regard to an impaired or an insolvent insurer.

(c) (1) The amount of any class A assessment shall be determined by the board and may be made on a pro rata or non-pro rata basis. If pro rata, the board may provide that it be credited against future class B assessments. ~~A non-pro rata assessment shall not exceed \$300 per member insurer in any one calendar year.~~ The amount of any class B assessment, except for assessments related to long-term care insurance, shall be allocated for assessment purposes among the accounts pursuant to an allocation formula ~~which that~~ may be based on the premiums or reserves of the impaired or insolvent insurer or any other standard deemed by the board in its sole discretion as being fair and reasonable under the circumstances.

(2) The amount of the class B assessment for long-term care insurance written by the impaired or insolvent insurer shall be allocated according to a methodology included in the plan of operation and approved by the commissioner. The methodology shall provide for 50% of the assessment to be allocated to accident and health member insurers and 50% to be allocated to life and annuity member insurers.

(3) Class B assessments against member insurers for each account shall be in the proportion that the premiums received on business in this state by each assessed member insurer on policies or contracts covered by each account for the three most recent calendar years for which information is available preceding the year in which the member insurer became impaired or insolvent, as the case may be, bears to such premiums received on business in this state for such calendar years by all assessed member insurers.

~~(3)~~(4) Assessments for funds to meet the requirements of the association with

respect to an impaired or insolvent insurer shall not be made until necessary to implement the purposes of this act. Classification of assessments under subsection (b) and computation of assessments under this subsection shall be made with a reasonable degree of accuracy, recognizing that exact determinations may not always be possible.

(d) The association may abate or defer, in whole or in part, the assessment of a member insurer if, in the opinion of the board, payment of the assessment would endanger the ability of the member insurer to fulfill its contractual obligations. In the event an assessment against a member insurer is abated, or deferred in whole or in part, the amount by which such assessment is abated or deferred may be assessed against the other member insurers in a manner consistent with the basis for assessments set forth in this section. Once the conditions that caused a deferral have been removed or rectified, the member insurer shall pay all assessments that were deferred pursuant to a repayment plan approved by the association.

(e) (1) The total of all assessments upon a member insurer for each account shall not in any one calendar year exceed 2% of such member insurer's average premiums received in this state on the policies and contracts covered by the account during the three calendar years preceding the years in which the member insurer became an impaired or insolvent insurer.

(2) If two or more assessments are authorized in one calendar year with respect to member insurers that become impaired or insolvent in different calendar years, the average annual premiums for purposes of the aggregate assessment percentage limitation referenced in this subsection shall be equal and limited to the higher of the three-year average annual premiums for the applicable account as calculated pursuant to this section.

(3) If the maximum assessment, together with the other assets of the association in any account does not provide in any one year in either account an amount sufficient to carry out the responsibilities of the association, the necessary additional funds shall be assessed as soon thereafter as permitted by this act.

(4) The board may provide in the plan of operation a method of allocating funds among claims, whether relating to one or more impaired or insolvent insurers, when the maximum assessment will be insufficient to cover anticipated claims.

(f) The board, by an equitable method as established in the plan of operation, may refund to member insurers, in proportion to the contribution of each insurer to that account, the amount by which the assets of the account exceed the amount the board finds is necessary to carry out during the coming year the obligations of the association with regard to that account, including assets accruing from assignment, subrogation, net realized gains and income from investments. A reasonable amount may be retained in any account to provide funds for the continuing expenses of the association and for future losses.

(g) It shall be proper for any member insurer, in determining its premium rates and policyowner policyholder or contract holder dividends as to any kind of insurance or health maintenance organization business within the scope of this act, to consider the amount reasonably necessary to meet its assessment obligations under this act.

(h) The association shall issue to each member insurer paying an assessment under this act, other than a class A assessment, a certificate of contribution, in a form prescribed by the commissioner, for the amount of the assessment paid. All outstanding certificates shall be of equal dignity and priority without reference to amounts or dates

of issue. A certificate of contribution may be shown by the member insurer in its financial statement as an asset in such form and for such amount, if any, and period of time as the commissioner may approve.

(i) (1) A member insurer that wishes to protest all or part of an assessment shall pay, when due, the full amount of the assessment as set forth in the notice provided by the association. The payment shall be available to meet association obligations during the pendency of the protest or any subsequent appeal. Payment shall be accompanied by a written statement that the payment is made under protest and shall set forth a brief statement of the grounds for the protest.

(2) Within 60 days following the payment of an assessment under protest by a member insurer, the association shall notify the member insurer, in writing, of its determination with respect to the protest unless the association notifies the member insurer that additional time is required to resolve the issues raised by the protest.

(3) Within 30 days after a final decision has been made, the association shall notify the protesting member insurer in writing of that final decision. Within 60 days of receipt of notice of the final decision, the protesting member insurer may appeal that final action to the commissioner.

(4) As an alternative to rendering a final decision with respect to a protest based on a question regarding the assessment base, the association may refer protests to the commissioner for a final decision, with or without a recommendation from the association.

(5) If the protest or appeal on the assessment is upheld, the amount paid in error or excess shall be returned to the member insurer. Interest on a refund due a protesting member insurer shall be paid at the rate actually earned by the association.

(j) The association may request information of member insurers in order to aid in the exercise of its power under this section, and member insurers shall promptly comply with a request.

Sec. 13. K.S.A. 40-3010 is hereby amended to read as follows: 40-3010. (a) (1) The association shall submit to the commissioner a plan of operation and any amendments thereto necessary or suitable to assure the fair, reasonable and equitable administration of the association. The plan of operation and any amendments thereto shall become effective upon the commissioner's written approval or unless the commissioner has not disapproved it within 30 days.

(2) If the association fails to submit a suitable plan of operation within 120 days following the effective date of this act, or, if at any time thereafter the association fails to submit suitable amendments to the plan, the commissioner, after notice and hearing, shall adopt and promulgate such reasonable rules and regulations as are necessary or advisable to effectuate the provisions of this act. Such rules and regulations shall continue in force until modified by the commissioner or superseded by a plan submitted by the association and approved by the commissioner.

(b) All member insurers shall comply with the plan of operation.

(c) The plan of operation shall, in addition to requirements enumerated elsewhere in this act:

- (1) Establish procedures for handling the assets of the association;
- (2) establish the amount and method of reimbursing members of the board of directors under K.S.A. 40-3007, and amendments thereto;
- (3) establish regular places and times for meetings, including telephone conference

calls, of the board of directors;

(4) establish procedures for records to be kept of all financial transactions of the association, its agents and the board of directors;

(5) establish the procedures whereby selections for the board of directors will be made and submitted to the commissioner;

(6) establish any additional procedures for assessments under K.S.A. 40-3009, and amendments thereto; ~~and~~

(7) contain additional provisions necessary or proper for the execution of the powers and duties of the association;

(8) establish procedures whereby a director may be removed for cause, including in the case where a member insurer director becomes an impaired or insolvent insurer; and

(9) require the board of directors to establish a policy and procedures for addressing conflicts of interests.

(d) The plan of operation may provide that any or all powers and duties of the association, except those under ~~subsection (p)(3)~~ of K.S.A. 40-3008 and 40-3009, and amendments thereto, are delegated to a corporation, association or other organization ~~which that~~ performs or will perform functions similar to those of this association, or its equivalent, in two or more states. Such a corporation, association or organization shall be reimbursed for any payments made on behalf of the association and shall be paid for its performance of any function of the association. A delegation under this subsection shall take effect only with the approval of both the board of directors and the commissioner, and may be made only to a corporation, association or organization ~~which that~~ extends protection not substantially less favorable and effective than that provided by this act.

Sec. 14. K.S.A. 40-3011 is hereby amended to read as follows: 40-3011. In addition to the duties and powers enumerated in this act:

(a) The commissioner shall:

(1) Upon request of the board of directors, provide the association with a statement of the premiums in this and any other appropriate state for each member insurer;

(2) when an impairment is declared and the amount of the impairment is determined, serve a demand upon the impaired insurer to make good the impairment within a reasonable time; notice to the impaired insurer shall constitute notice to its shareholders, if any; the failure of the impaired insurer to promptly comply with such demand shall not excuse the association from the performance of its powers and duties under this act;

(3) in any liquidation or rehabilitation proceeding involving a domestic insurer, be appointed as the liquidator or rehabilitator.

(b) The commissioner may suspend or revoke, after notice and hearing in accordance with the provisions of the Kansas administrative procedure act, the certificate of authority to transact insurance business in this state of any member insurer ~~which that~~ fails to pay an assessment when due or fails to comply with the plan of operation. As an alternative the commissioner may levy a forfeiture on any member insurer ~~which that~~ fails to pay an assessment when due. Such forfeiture shall not exceed 5% of the unpaid assessment per month, but ~~no a~~ forfeiture shall be not less than \$100 per month.

(c) Any final action of the board of directors or the association may be appealed to the commissioner by any member insurer if such appeal is taken within 60 days of the

final action being appealed. ~~If a member company is appealing an assessment, the amount assessed shall be paid to the association and available to meet association obligations during the pendency of an appeal. If the appeal on the assessment is upheld, the amount paid in error shall be returned to the member insurer.~~ A final action or order of the commissioner shall be subject to judicial review in a court of competent jurisdiction in accordance with the laws of this state that apply to the actions or orders of the commissioner.

(d) The liquidator, rehabilitator or conservator of any impaired insurer may notify all interested persons of the effect of this act.

Sec. 15. K.S.A. 40-3012 is hereby amended to read as follows: 40-3012. To aid in the detection and prevention of member insurer impairments or insolvencies:

(a) It shall be the duty of the commissioner to:

(1) Notify the commissioners of all other states, territories of the United States and the District of Columbia when the commissioner takes any of the following actions against a member insurer:

(A) Revocation of license or certificate of authority;

(B) suspension of license or certificate of authority; or

(C) makes any formal order that such ~~company~~ member insurer restricts its premium writing, obtain additional contributions to surplus, withdraw from the state, reinsure all or any part of its business, or increase capital, surplus or any other account for the security of policyholders, contract holders, certificate holders or creditors.

Such notice shall be mailed to all commissioners within 30 days following the action taken or the date on which such action occurs;

(2) report to the board of directors when the commissioner has taken any of the actions set forth in paragraph (1) ~~of this subsection~~ or has received a report from any other commissioner indicating that any such action has been taken in another state. Such report to the board of directors shall contain all significant details of the action taken or the report received from another commissioner;

(3) report to the board of directors when the commissioner has reasonable cause to believe from any examination, whether completed or in process, of any member company that such ~~company~~ member insurer may be an impaired or insolvent insurer. Such report and information shall be kept confidential by the board of directors until such time as made public by the commissioner or other lawful authority;

(4) furnish to the board of directors the national association of insurance commissioners' insurance regulatory information system ratios and listings of companies not included in the ratios developed by the national association of insurance commissioners, and the board may use the information contained therein in carrying out its duties and responsibilities under this section. Such report and the information contained therein shall be kept confidential by the board of directors until such time as made public by the commissioner or other lawful authority.

(b) The commissioner may seek the advice and recommendations of the board of directors concerning any matter affecting the commissioner's duties and responsibilities regarding the financial condition of member insurers and ~~companies~~ health maintenance organization seeking admission to transact ~~insurance~~ business in this state.

(c) The board of directors, upon majority vote, may make reports and recommendations to the commissioner upon any matter germane to the solvency, liquidation, rehabilitation or conservation of any member insurer or germane to the

solvency of any ~~company insurer or health maintenance organization~~ seeking to do ~~any insurance~~ business in this state. Such reports and recommendations shall not be considered public documents.

(d) It shall be the duty of the board of directors, upon majority vote, to notify the commissioner of any information indicating any member insurer may be an impaired or insolvent insurer.

~~(e) The board of directors, upon majority vote, may request that the commissioner order an examination of any member insurer which the board in good faith believes may be an impaired or insolvent insurer. The examination may be conducted as a national association of insurance commissioners' examination or may be conducted by such persons as the commissioner designates. The cost of such examination shall be paid by the association and the examination report shall be treated as are other examination reports. In no event shall such examination report be released to the board of directors prior to its release to the public, but this shall not preclude the commissioner from complying with subsection (a).~~

The commissioner shall notify the board of directors when the examination is completed. The request for an examination shall be kept on file by the commissioner but it shall not be open to public inspection prior to the release of the examination report to the public.

(f) The board of directors, upon majority vote, may make recommendations to the commissioner for the detection and prevention of member insurer insolvencies.

~~(g) The board of directors, at the conclusion of any insurer insolvency in which the association was obligated to pay covered claims, shall prepare a report to the commissioner containing such information as it may have in its possession bearing on the history and causes of such insolvency. The board shall cooperate with the board of directors of guaranty associations in other states in preparing a report on the history and causes of insolvency of a particular insurer and may adopt, by reference, any report prepared by such other associations.~~

Sec. 16. K.S.A. 40-3013 is hereby amended to read as follows: 40-3013. (a) Nothing in this act shall be construed to reduce the liability for unpaid assessments of the insureds or enrollees of an impaired or insolvent insurer operating under a plan with assessment liability.

(b) Records shall be kept of all negotiations and meetings in which the association or its representatives are involved to discuss the activities of the association in carrying out its powers and duties under K.S.A. 40-3008, and amendments thereto. Records of such negotiations or meetings shall be made public only upon the termination of a liquidation, rehabilitation or conservation proceeding involving the impaired or insolvent insurer, upon the termination of the impairment or insolvency of the member insurer, or upon the order of a court of competent jurisdiction. Nothing in this subsection shall limit the duty of the association to render a report of its activities under K.S.A. 40-3014, and amendments thereto.

(c) For the purpose of carrying out its obligations under this act, the association shall be deemed to be a creditor of the impaired or insolvent insurer to the extent of assets attributable to covered policies reduced by any amounts to which the association is entitled as subrogee pursuant to ~~subsection (f) of~~ K.S.A. 40-3008, and amendments thereto. Assets of the impaired or insolvent insurer attributable to covered policies shall be used to continue all covered policies and pay all contractual obligations of the

impaired or insolvent insurer as required by this act. Assets attributable to covered policies or contracts, as used in this subsection, are that proportion of the assets ~~which that~~ the reserves that should have been established for such policies or contracts bear to the reserve that should have been established for all policies or contracts of insurance or health benefit plans written by the impaired or insolvent insurer.

(d) As a creditor of the impaired or insolvent insurer, as established in subsection (c) and consistent with K.S.A. 40-3635, and amendments thereto, the association and other similar associations shall be entitled to receive a disbursement of assets out of the marshaled assets, from time to time as the assets become available to reimburse it, as a credit against contractual obligations under this act. If the liquidator has not, within 120 days of a final determination of insolvency of a member insurer by the receivership court, made an application to the court for the approval of a proposal to disburse assets out of marshaled assets to guaranty associations having obligations because of the insolvency, then the association shall be entitled to make application to the receivership court for approval of its own proposal to disburse these assets.

(e)(1) Prior to the termination of any liquidation, rehabilitation, or conservation proceeding, the court may take into consideration the contributions of the respective parties, including the association, the shareholders ~~and policyowners, policyholders, contract holders, certificate holders and enrollees~~ of the insolvent insurer, and any other party with a bona fide interest, in making an equitable distribution of the ownership rights of such insolvent insurer. In such a determination, consideration shall be given to the welfare of the policyholders, contract holders, certificate holders and enrollees of the continuing or successor member insurer.

(2) No distribution to stockholders, if any, of an impaired or insolvent insurer shall be made until and unless the total amount of valid claims of the association with interest thereon for funds expended in carrying out its powers and duties under K.S.A. 40-3008, and amendments thereto, with respect to such member insurer have been fully recovered by the association.

~~(e)(f)~~ (1) If an order for liquidation or rehabilitation of ~~an a member~~ insurer domiciled in this state has been entered, the receiver appointed under such order shall have a right to recover on behalf of the member insurer, from any affiliate that controlled it, the amount of distributions, other than stock dividends paid by the member insurer on its capital stock, made at any time during the five years preceding the petition for liquidation or rehabilitation subject to the limitations of ~~subsections paragraphs (2) to through (4), inclusive.~~

(2) No such distribution shall be recoverable if the member insurer shows that when paid the distribution was lawful and reasonable, and that the member insurer did not know and could not reasonably have known that the distribution might adversely affect the ability of the member insurer to fulfill its contractual obligations.

(3) Any person who was an affiliate that controlled the member insurer at the time the distributions were paid shall be liable up to the amount of distributions such person received. Any person who was an affiliate that controlled the member insurer at the time the distributions were declared, shall be liable up to the amount of distributions such person would have received if such person had been paid immediately. If two or more persons are liable with respect to the same distributions, such person shall be jointly and severally liable.

(4) The maximum amount recoverable under this subsection shall be the amount

needed in excess of all other available assets of the insolvent insurer to pay the contractual obligations of the insolvent insurer.

(5) If any person liable under ~~subsection~~ paragraph (3) is insolvent, all its affiliates that controlled it at the time the distribution was paid, shall be jointly and severally liable for any resulting deficiency in the amount recovered from the insolvent affiliate.

Sec. 17. K.S.A. 40-3013a is hereby amended to read as follows: 40-3013a. (a) No person, including ~~an a member~~ insurer, agent or affiliate of ~~an a member~~ insurer shall make, publish, disseminate, circulate or place before the public, or cause directly or indirectly, to be made, published, disseminated, circulated or placed before the public, in any newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio station or television station, or in any other way, any advertisement, announcement or statement, written or oral, which uses the existence of the insurance guaranty association of this state for the purpose of sales, solicitation or inducement to purchase any form of insurance or other coverage covered by the Kansas life and health insurance guaranty association act. This section shall not apply to the Kansas life and health insurance guaranty association or any other entity ~~which that~~ does not sell or solicit insurance or coverage by a health maintenance organization.

(b) Within 180 days of the effective date of this act, the association shall prepare a summary document describing the general purposes and current limitations of this act in complying with subsection (c). This summary document ~~should~~ shall be submitted to the commissioner for approval. Sixty days after receiving such approval, no member insurer may deliver a policy or contract ~~described in subsection (b) of K.S.A. 40-3003, and amendments thereto,~~ to a policy or policyholder, contract holder, certificate holder or enrollee unless the summary document is delivered to the policy or policyholder, contract holder or enrollee at the time of delivery of the policy or contract ~~except if subsection (d) applies.~~ The summary document ~~should~~ shall also be available upon request by a policyholder, contract holder, certificate holder or enrollee. The distribution, delivery or contents or interpretation of this summary document shall not mean that either the policy or the contract or the policyholder, contract holder, certificate holder or enrollee thereof would be covered in the event of the impairment or insolvency of a member insurer. The ~~description~~ summary document shall be revised by the association as amendments to this act may require. Failure to receive this document does not give the policyholder, contract holder, certificate holder, enrollee or insured any greater rights than those stated in this act.

(c) The summary document prepared under subsection (b) shall contain a clear and conspicuous disclaimer on its face. The commissioner shall promulgate a rule establishing the form and content of the disclaimer. The disclaimer shall:

(1) State the name and address of the life and health insurance guaranty association and insurance department;

(2) prominently warn the policy or policyholder, contract holder, certificate holder or enrollee that the life and health insurance guaranty association may not cover the policy or contract or, if coverage is available, it will be subject to substantial limitations, exclusions and conditioned on continued residence in the state;

(3) state the types of policies or contracts for which guaranty funds will provide coverage;

(4) state that the member insurer and its agents are prohibited by law from using

the existence of the life and health insurance guaranty association for the purpose of sales, solicitation or inducement to purchase any form of insurance or health maintenance organization coverage;

~~(4)~~(5) emphasize ~~state~~ that the ~~policy or policyholder~~, contract holder, certificate holder or enrollee should not rely on coverage under the life and health insurance guaranty association when selecting an insurer; and or health maintenance organization;

(6) explain rights available and procedures for filing a complaint to allege a violation of any provisions of this act; and

~~(5)~~(7) provide other information as directed by the commissioner, including, but not limited to, sources for information about the financial condition of insurers, provided that the information is not proprietary and is subject to disclosure under that state's public records law.

~~(d) No insurer or agent may deliver a policy or contract described in subsection (b) of K.S.A. 40-3003, and amendments thereto, and excluded under subsection (n)(1) of K.S.A. 40-3008, and amendments thereto, from coverage under this act unless the insurer or agent, prior to or at the time of delivery, gives the policy or contract holder a separate written notice which clearly and conspicuously discloses that the policy or contract is not covered by the life and health insurance guaranty association. The commissioner, by rule, shall specify the form and content of the notice. A member insurer shall retain evidence of compliance with subsection (b) for so long as the policy or contract for which the notice is given remains in effect.~~

Sec. 18. K.S.A. 40-3016 is hereby amended to read as follows: 40-3016. (a) Unless a longer period has been allowed by the commissioner, a member insurer shall at its option have the right to show a certificate of contribution as an asset in the form approved by the commissioner pursuant to ~~subsection (h) of~~ K.S.A. 40-3009, and amendments thereto, at percentages of the original face amount approved by the commissioner, for calendar years as follows:

- (1) ~~One hundred percent~~100% for the calendar year of issuance;
- (2) ~~eighty percent~~80% for the first calendar year after the year of issuance;
- (3) ~~sixty percent~~60% for the second calendar year after the year of issuance;
- (4) ~~forty percent~~40% for the third calendar year after the year of issuance;
- (5) ~~twenty percent~~20% for the fourth calendar year after the year of issuance.

(b) The member insurer may offset the amount written off by it in a calendar year under subsection (a) ~~above~~, against its premium tax liability to this state accrued with respect to business transacted in such year.

(c) A member insurer that is exempt from taxes referenced in subsection (a) may recoup its assessments by a surcharge on its premiums in a sum reasonably calculated to recoup the assessments over a reasonable period of time, as approved by the commissioner. Amounts recouped shall not be considered premiums for any other purpose, including the computation of gross premium tax, the medical loss ratio, or agent commission. If a member insurer collects excess surcharges, the member insurer shall remit the excess amount to the association, and the excess amount shall be applied to reduce future assessments in the appropriate account.

(d) Any sums acquired by refund, pursuant to ~~subsection (f) of~~ K.S.A. 40-3009, and amendments thereto, from the association ~~which~~ that have theretofore been written off by contributing member insurers and offset against premium taxes as provided in subsection (b) ~~above~~, and ~~is~~ are not then needed for purposes of this act, shall be paid

by the association to the commissioner and the commissioner shall remit such moneys to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

Sec. 19. K.S.A. 40-3018 is hereby amended to read as follows: 40-3018. All proceedings in which the impaired or insolvent insurer is a party in any court in this state shall be stayed ~~60~~ 180 days from the date an order of liquidation, rehabilitation or conservation is final to permit proper legal action by the association on any matters germane to its powers or duties. As to a judgment under any decision, order, verdict or finding based on default the association may apply to have such judgment set aside by the same court that made such judgment and shall be permitted to defend against such suit on the merits.";

Also on page 6, in line 43, by striking "and" and inserting a comma; also in line 43, after "40-2910" by inserting ", 40-3002, 40-3003, 40-3004, 40-3005, 40-3006, 40-3007, 40-3008, 40-3009, 40-3010, 40-3011, 40-3012, 40-3013, 40-3013a, 40-3016 and 40-3018";

On page 7, in line 3, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "property and casualty"; in line 2, after "act" by inserting "and the Kansas life and health insurance guaranty association"; in line 5, after the semicolon by inserting "including health maintenance organization as member insurers; broadening the assessment base for long-term care insolvencies"; in line 8, by striking the first "and" and inserting a comma; also in line 8, after "40-2910" by inserting ", 40-3002, 40-3003, 40-3005, 40-3006, 40-3007, 40-3008, 40-3009, 40-3010, 40-3011, 40-3012, 40-3013, 40-3013a, 40-3016 and 40-3018"; in line 9, after "sections" by inserting "; also repealing K.S.A. 40-3004";

And your committee on conference recommends the adoption of this report.

JEFF LONGBINE
MICHAEL FAGG
CINDY HOLSCHER

Conferees on part of Senate

WILLIAM SUTTON
PATRICK PENN
CINDY NEIGHBOR

Conferees on part of House

Senator Longbine moved the Senate adopt the Conference Committee Report on **HB 2787**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CHANGE OF CONFERENCE

Senators Erickson, Dietrich, and Sykes are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **SB 19**.

Senators Peck, Claeys, and Holland are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **HB 2097**.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SR 1750, SR 1751, SR 1752, SR 1753 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 4, 2024.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Friday, April 5, 2024.

Journal of the Senate

SIXTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, April 5, 2024, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 39 senators present.
Senator Ryckman was excused.
Invocation by Reverend Cecil T. Washington:

God Bless America (Irving Berlin)
Matthew 5-6

Heavenly Father, Lord God of Heaven and earth; in the Gospel of Matthew 5-6, Your Word says God blesses those who are humble, for they will inherit the whole earth. God blesses those who hunger and thirst for justice, for they will be satisfied.

Shortly after becoming an American citizen, Irving Berlin wrote a prayer asking You to bless us. The prayer was set to music and became a national anthem. Please hear this prayer today:

God bless America, land that I love.
Stand beside her, and guide her,
Thru the night with a light from above.
From the mountains, to the prairies,
To the oceans, white with foam,
God bless America, my home sweet home. Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator Pettey introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1754—

A RESOLUTION congratulating Turner High School student Rhett Ryman on being the best 5A bowler in the state, with his 1st place finish at both the 5A Kansas Regionals and the 5A Kansas State Bowling Tournament.

WHEREAS, Rhett Ryman, a student of Turner High School, bowled a total of 736 points at the 5A Kansas Regionals and bowled a total of 724 points at the 5A Kansas State Bowling Tournament; and

WHEREAS, Rhett bowled an average of 221 points over the 33 games in the 2023-2024 season; and

WHEREAS, Rhett helped bowl his team to a 2nd place finish in the 5A Kansas State Bowling Tournament: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate Rhett Ryman for winning 1st place at both the 5A Kansas Regionals and 5A Kansas State Bowling Tournament; and

Be it further resolved: That Rhett Ryman has most honorably represented Turner High School in his bowling endeavors; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Pettey.

On emergency motion of Senator Pettey **SR 1754** was adopted by voice vote.

Senator Pettey introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1755—

A RESOLUTION congratulating the Turner High School Bowling Team on its 2nd place finish in the 5A Kansas State Bowling Tournament.

WHEREAS, The Turner High School Bowling Team is comprised of Rhett Ryman, Taylor Kessler, Phoenix Martin, Lukas Reynolds, Andre Little, Kazey Sanders and their coach, Ashton Findley; and

WHEREAS, Rhett Ryman bowled a score of 221; Taylor Kessler bowled a score of 202; Phoenix Martin bowled a score of 190; Kazey Sanders bowled a score of 187; Andre Little bowled a score of 175; and Lukas Reynolds bowled a score of 173, for a total team score of 2,671. Their overall performance and total score bagged for the Turner Bears a Kansas State Bowling Tournament runner-up title; and

WHEREAS, Kazey Sanders finished 5th at the 5A Kansas Regionals with a score of 655; and

WHEREAS, Taylor Kessler finished 7th at the 5A Kansas Regionals with a score of 646 and 14th at the 5A Kansas State Bowling Tournament with a score of 655; and

WHEREAS, Phoenix Martin finished 13th at the 5A Kansas State Bowling Tournament with a score of 660: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the Turner High School Bowling Team, along with their coach, Ashton Findley, has made a positive impact on the Turner High School sports program and overall school pride; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Pettey.

On emergency motion of Senator Pettey **SR 1755** was adopted voice vote.

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Directive No. 24-581 for your information. (April 2, 2024)

MESSAGES FROM THE HOUSE

The House adopts the Conference Committee report on **SB 142**.

The House adopts the Conference Committee report on **SB 438**.

The House adopts the Conference Committee report on **H Sub H Sub SB 96**.

The House adopts the Conference Committee report on **HB 2532**.

The House adopts the Conference Committee report on **HB 2787**.

The House adopts the Conference Committee report on **SB 410**.

The House adopts the Conference Committee report on **H Sub SB 143**.

The House adopts the Conference Committee report to agree to disagree on on **H Sub SB 172** and appoints Representatives Tarwater, Borjon and Probst as Second conferees on the part of the House.

The House adopts the Conference Committee report on **SB 28**.

The House adopts the Conference Committee report on **SB 19**.

The House adopts the Conference Committee report on **HB 2560**.

The House adopts the Conference Committee report on **HB 2711**.

The House adopts the Conference Committee report on **HB 2562**.

The House adopts the Conference Committee report on **Sub HB 2570**.

The House adopts the Conference Committee report on **HB 2614**.

The House adopts the Conference Committee report on **HB 2618**.

The House accedes to the request of the Senate for a conference on **SB 14** and has appointed Representatives Proctor, Waggoner and Woodard as Third conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 387** and has appointed Representatives Williams, K., Goetz and Winn as Third conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 423** and has appointed Representatives Sutton, Penn and Neighbor as Second conferees on the part of the House.

The House adopts the Conference Committee report on **SB 292**.

The House accedes to the request of the Senate for a conference on **H Sub SB 271** and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House not adopts the Conference Committee report on **S Sub HB 2036**, requests a conference and appoints Representatives Smith, A., Bergkamp and Sawyer as Second conferees on the part of the House.

The House adopts the Conference Committee report on **HB 2105**.

The House adopts the Conference Committee report on **HB 2465**.

The House adopts the Conference Committee report on **HB 2547**.

The House adopts the Conference Committee report to agree to disagree on **H Sub SB 232**, and has appointed Representatives Humphries, Lewis and Osman as Second conferees on the part of the House.

Announcing adoption of **HCR 5027**.

The House adopts the Conference Committee report on **SB 467**.

The House adopts the Conference Committee report on **HB 2760**.

The House adopts the Conference Committee report to agree to disagree on **S Sub HB 2036**, and has appointed Representatives Smith, A., Bergkamp and Sawyer as Third conferees on the part of the House.

The House adopts the Conference Committee report on **HB 2501**.

The House adopts the Conference Committee report on **SB 500**.

The House adopts the Conference Committee report on **SB 458**.

The House adopts the Conference Committee report on **H Sub SB 271**.

The House adopts the Conference Committee report on **H Sub SB 172**.

The House adopts the Conference Committee report on **H Sub SB 232**.

CONSIDERATION OF ORIGINAL MOTIONS

HCR 5027, A CONCURRENT RESOLUTION extending the 2024 regular session of the Legislature beyond 90 calendar days; providing for the adjournment of the Senate and the House of Representatives, was introduced and read.

On emergency motion of Senator Alley, **HCR 5027** was adopted by voice vote.

On motion of Senator Tyson, the Senate acceded to the request of the House for a conference on **S Sub HB 2036**.

The President appointed Senators Tyson, Peck and Holland as second conferees on the part of the Senate.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Erickson moved the Senate concur in House amendments to **SB 333**.

SB 333, AN ACT concerning persons with disabilities; relating to employment thereof; providing hiring, promotion and retention preferences for such persons for certain executive branch state government positions; extending the expiration provision for the state use law committee; amending K.S.A. 75-3322c and repealing the existing section.

On roll call, the vote was: Yeas 36; Nays 1; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Senate concurred.

Senator Warren moved the Senate concur in House amendments to **H Sub SB 349**.

H Sub SB 349, AN ACT concerning the open records act; relating to public records; continuing certain exceptions to the disclosure thereof; amending K.S.A. 41-511 and K.S.A. 2023 Supp. 45-229, 50-6,109a and 74-50,227 and repealing the existing sections.

On roll call, the vote was: Yeas 35; Nays 0; Present and Passing 2; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Faust-Goudeau, Haley.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Senate concurred.

Senator Warren moved the Senate concur in House amendments to **SB 473**.

SB 473, AN ACT concerning crimes, punishment and criminal procedure; relating to the Kansas code of criminal procedure; authorizing a notice to appear that meets certain requirements to serve as a lawful complaint; requiring a minimum appearance bond premium in district court; providing reasons for suspending or terminating authorization of a compensated surety; authorizing the chief judge of a judicial district to require a compensated surety to submit to a state and national criminal history record check; amending K.S.A. 22-2202, 22-2408 and 22-2809b and repealing the existing sections.

On roll call, the vote was: Yeas 23; Nays 10; Present and Passing 4; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pyle, Shallenburger, Thompson, Warren, Wilborn.

Nays: Faust-Goudeau, Haley, Holland, Holscher, Pittman, Reddi, Steffen, Sykes, Tyson, Ware.

Present and Passing: Corson, Francisco, Pettey, Straub.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Senate concurred.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 19** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 9 through 36;

On page 2, by striking all in line 1; following line 1, by inserting:

"Section 1. (a) Sections 1 through 6, and amendments thereto, shall be known and may be cited as the Kansas national guard educational master's for enhanced readiness and global excellence (EMERGE) program.

(b) The purpose of the Kansas national guard EMERGE program is to establish a master's degree assistance program under which payment of the tuition and fees charged eligible members of the Kansas national guard for enrollment in master's degree programs at Kansas educational institutions shall be provided by the state pursuant to the EMERGE program.

Sec. 2. As used in the Kansas national guard educational master's for enhanced readiness and global excellence (EMERGE) program:

(a) "Educational program" means a master's degree program offered or maintained by a Kansas educational institution that leads to the award of a master's degree to an eligible guard member upon satisfactory completion of course work requirements.

(b) "Eligible guard member" means any member of the Kansas national guard who has been accepted into an eligible master's degree program and who is not under a suspension of favorable flag action or on the unit unfavorable information file.

(c) "Kansas educational institution" means a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, Washburn university or an accredited independent institution, as defined in K.S.A. 72-3222, and amendments thereto.

(d) "Kansas national guard educational master's for enhanced readiness and global

excellence program" or "EMERGE program" means the program established pursuant to the provisions of the Kansas national guard educational master's for enhanced readiness and global excellence program.

Sec. 3. The state board of regents shall administer the Kansas national guard EMERGE program. The state board of regents may adopt rules and regulations for the administration of this act and shall:

(a) Establish a mechanism to ensure distribution of funds for tuition and fee reimbursement to Kansas educational institutions;

(b) enter into a cooperative relationship with the adjutant general to ensure efficient operation of the program;

(c) develop and effectuate a system of accountability for all disbursements under the program and provide written reports as prescribed; and

(d) coordinate with the adjutant general to create a procedure to ensure initial and on-going eligibility of all eligible guard members who are program participants.

Sec. 4. (a) Subject to the availability of appropriations for the Kansas national guard EMERGE program and within the limits of any such appropriations, except as provided in subsections (b) and (c), every eligible national guard member who is enrolled at a Kansas educational institution and participating in the program shall receive assistance each semester in an amount equal to the tuition and required fees for not more than 15 hours. The aggregate number of credit hours for which assistance may be provided under the program shall not exceed 150% of the total credit hours required for the eligible guard member to complete such member's master's degree program.

(b) Notwithstanding the provisions of subsection (a), eligible guard members shall not be paid the amount of tuition and fees charged for any course repeated or taken in excess of the requirements for completion of the master's degree program in which the eligible guard member is enrolled. The amount of tuition and required fees paid an eligible guard member pursuant to subsection (a) shall be at a rate not to exceed the maximum rate that would be charged by a state educational institution for enrollment of the eligible guard member.

(c) Amounts of assistance for which an eligible guard member is eligible to receive under this act shall be offset by the aggregate amount of federal or institutional tuition assistance received by such eligible guard member, as a result of active national guard membership, to pay costs of tuition and fees for enrollment at Kansas educational institutions.

Sec. 5. (a) On or before July 1 of each academic year, the adjutant general shall select up to 100 eligible national guard members who applied to the program to receive assistance from such program. The number of eligible guard members in the program shall not exceed 200 eligible guard members in any one school year.

(b) (1) In order to qualify for participation in the Kansas national guard EMERGE program, an eligible national guard member shall agree, in writing, to complete such member's current service obligation in the Kansas national guard and serve actively in good standing with the Kansas national guard or in a duty status affiliated with the Kansas national guard for not less than 48 months upon completion of the last semester for which the member receives assistance under the program.

(2) Prior to becoming eligible for participation in the program, each eligible guard member shall submit the free application for federal student aid and apply for any other federal tuition assistance that such member also may be eligible to receive.

(c) In order to remain eligible for participation in the program, an eligible guard member shall remain in good standing at the Kansas educational institution where such member is enrolled, make satisfactory progress toward completion of the requirements of such member's master's degree program, maintain a grade point average of not less than 2.75 and maintain satisfactory participation in the Kansas national guard.

(d) (1) Upon failure of any eligible guard member who received payments under the Kansas national guard EMERGE program to satisfy the agreement to continue service in the Kansas national guard as provided by subsection (a), such person shall pay to the state of Kansas an amount to be determined as follows:

(A) Determine the total amount of assistance paid to such member under the program;

(B) divide the amount determined under subsection (d)(1)(A) by 48; and

(C) multiply the amount determined under subsection (d)(1)(B) by the number of months such member did not serve as required by subsection (a). The resulting product is the total amount of recoupment to be paid by such member.

(2) All amounts paid to the state under this subsection shall be deposited in the state treasury and credited to the Kansas national guard EMERGE program repayment fund created by section 6, and amendments thereto.

(e) Any eligible guard member that received payments under the program but has failed to satisfy the agreement to continue service in the Kansas national guard as provided by subsection (a) by reason of extenuating circumstances or extreme hardship may request a waiver from recoupment under subsection (d). Such request shall be in writing and submitted through such member's chain of command to the Kansas national guard education services office. The chief of staff of the Kansas army national guard or the director of staff for the Kansas air national guard shall review all requests for a waiver from recoupment and the decision to issue such waiver shall be made by either officer as such officer deems appropriate.

Sec. 6. There is hereby created in the state treasury the Kansas national guard EMERGE program repayment fund. The state board of regents shall remit all moneys received under section 5, and amendments thereto, to the state treasurer at least monthly. Upon receipt of such remittance the state treasurer shall deposit the entire amount thereof in the state treasury, and such amount shall be credited to the Kansas national guard EMERGE program repayment fund. All expenditures from the Kansas national guard EMERGE repayment fund shall be for payments of assistance under the Kansas national guard EMERGE program and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director of the state board of regents or a person designated by the executive officer.

Sec. 7. (a) The secretary of health and environment shall develop statewide standards for cardiac emergency response plans. Such standards shall be developed in accordance with nationally recognized guidelines for implementation of cardiac emergency response plans as promulgated by organizations focused on emergency cardiovascular care.

(b) The board of education of each school district shall adopt a comprehensive cardiac emergency response plan, including policies and procedures for cardiac emergency responses for each attendance center operated by the school district, based on the statewide standards developed by the secretary under subsection (a). The board

may utilize any materials, documentation, video recordings, training modules and certifications published by organizations focused on emergency cardiovascular care. The cardiac emergency response plan shall include, but is not limited to, the following:

- (1) Establishing of a cardiac emergency response team;
 - (2) identifying and implementing the placement of automated external defibrillators;
 - (3) identifying roles and responsibilities of school district personnel, local law enforcement agencies and local emergency medical services in implementing the cardiac emergency response plan;
 - (4) establishing procedures, including the roles and responsibilities of school district personnel when responding to incidents involving an individual experiencing a suspected sudden cardiac arrest while attending school or at the site of any school-sponsored athletic practice or competition or other school-sponsored activity located in this state whether such site is located on the grounds of the school district or at another location, including, but not limited to:
 - (A) Responding to individuals experiencing a suspected sudden cardiac arrest;
 - (B) summoning emergency medical services;
 - (C) assisting emergency medical service providers; and
 - (D) documenting actions taken during such incident;
 - (5) conducting routine maintenance of automated external defibrillators, including appropriate placement in accordance with the statewide standards;
 - (6) designating school district personnel for training in the use of automated external defibrillators and cardiopulmonary resuscitation during a cardiac emergency;
 - (7) rehearsing cardiac emergency response plans, by simulation, by all athletic directors, coaches, assistant coaches, athletic trainers, school nurses and any other school district personnel designated pursuant to paragraph (6) either prior to the beginning of each athletic season or prior to the beginning of each school year;
 - (8) establishing communication systems with local emergency medical services operating within the school district; and
 - (9) developing a cardiac emergency action plan for school-sponsored events held at a location that is not on school district property.
- (c) Each board of education shall annually review the cardiac emergency response plan and adopt any changes to such plan as necessary.
- (d) Each school district shall submit a copy of the adopted cardiac emergency response plan to the secretary of health and environment. If the board of education of such district adopts any changes to such plan, a copy of the amended plan shall be submitted to the secretary.";

Also on page 2, in line 3, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking lines 2 through 5; in line 6, by striking all before the period and inserting "concerning education; establishing the Kansas national guard educational master's for enhanced readiness and global excellence (EMERGE) program and the Kansas national guard EMERGE program repayment fund; requiring school districts to establish requirements for cardiac emergency response plans; establishing the school cardiac emergency response grant fund";

And your committee on conference recommends the adoption of this report.

ADAM THOMAS
 SUSAN ESTES
 JERRY STOGSDILL

Conferees on part of House

RENEE ERICKSON
 BRENDA DIETRICH
 DINAH SYKES

Conferees on part of Senate

Senator Erickson moved the Senate adopt the Conference Committee Report on **SB 19**.

On roll call, the vote was: Yeas 26; Nays 2; Present and Passing 9; Absent or Not Voting 3.

Yeas: Alley, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, Peck, Petersen, Pittman, Shallenburger, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen, Straub.

Present and Passing: Baumgardner, Francisco, Haley, Holscher, Olson, Pettey, Pyle, Reddi, Sykes.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 28** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 10 through 36;

On page 2, by striking all in lines 1 through 13; following line 13, by inserting:

"Section 1. (a) For the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall not be subject to the provisions of K.S.A. 75-6702(a), and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.

Sec. 2.

BOARD OF ACCOUNTANCY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by the state finance council by section 65(f) of chapter

97 of the 2023 Session Laws of Kansas on the board of accountancy fee fund (028-00-2701-0100) of the board of accountancy is hereby increased from \$497,491 to \$507,385.

(b) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 10(a) of chapter 82 of the 2023 Session Laws of Kansas on the board of accountancy fee fund (028-00-2701-0100) of the board of accountancy is hereby increased from \$426,097 to \$468,475.

(c) On July 1, 2024, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2025, by section 10(a) of chapter 82 of the 2023 Session Laws of Kansas on the board of accountancy fee fund of the board of accountancy is hereby increased from \$1,400 to \$1,800.

Sec. 3.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 2(a) of chapter 97 of the 2023 Session Laws of Kansas on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby increased from \$12,809,736 to \$13,149,915.

Sec. 4.

STATE BANK COMMISSIONER

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 2(a) of chapter 97 of the 2023 Session Laws of Kansas on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby increased from \$12,720,158 to \$13,107,239.

Sec. 5.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 14(a) of chapter 82 of the 2023 Session Laws of Kansas on the board of barbering fee fund (100-00-2704-0100) of the Kansas board of barbering is hereby increased from \$197,899 to \$215,696.

Sec. 6.

KANSAS BOARD OF BARBERING

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 14(a) of chapter 82 of the 2023 Session Laws of Kansas on the board of barbering fee fund (100-00-2704-0100) of the Kansas board of barbering is hereby increased from \$202,404 to \$221,901.

Sec. 7.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 3(b) of chapter 97 of the 2023 Session Laws of Kansas on the behavioral sciences regulatory board fee fund (102-00-2730-0100) of the behavioral sciences regulatory board is hereby increased from \$1,170,169 to \$1,195,945.

Sec. 8.

STATE BOARD OF HEALING ARTS

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 16(a) of chapter 82 of the 2023 Session Laws of Kansas on the healing arts fee fund (105-00-2705-0100) of the state board of healing arts is hereby increased from \$7,184,690 to \$7,384,731.

Sec. 9.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 17(a) of chapter 82 of the 2023 Session Laws of Kansas on the cosmetology fee fund (149-00-2706-0100) of the Kansas state board of cosmetology is hereby increased from \$1,234,928 to \$1,264,128.

Sec. 10.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 18(a) of chapter 82 of the 2023 Session Laws of Kansas on the credit union fee fund (159-00-2026-0100) of the state department of credit unions is hereby increased from \$1,266,485 to \$1,397,329.

Sec. 11.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 18(a) of chapter 82 of the 2023 Session Laws of Kansas on the credit union fee fund (159-00-2026-0100) of the state department of credit unions is hereby increased from \$1,268,881 to \$1,399,725.

Sec. 12.

KANSAS DENTAL BOARD

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 19(a) of chapter 82 of the 2023 Session Laws of Kansas on the dental board fee fund (167-00-2708-0100) of the Kansas dental board is hereby increased from \$565,000 to \$574,069.

Sec. 13.

STATE BOARD OF MORTUARY ARTS

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 20(a) of chapter 82 of the 2023 Session Laws of Kansas on the mortuary arts fee fund (204-00-2709-0100) of the state board of mortuary arts is hereby increased from \$324,494 to \$334,154.

Sec. 14.

BOARD OF NURSING

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 23(a) of chapter 82 of the 2023 Session Laws of Kansas on the board of nursing fee fund (482-00-2716-0200) of the board of nursing is hereby increased from \$3,597,121 to \$3,663,541.

Sec. 15.

BOARD OF EXAMINERS IN OPTOMETRY

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 24(a) of chapter 82 of the 2023 Session Laws of Kansas on the optometry fee fund (488-00-2717-0100) of the board of examiners in optometry is hereby increased from \$227,096 to \$230,120.

Sec. 16.

STATE BOARD OF PHARMACY

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 26(a) of chapter 82 of the 2023 Session Laws of Kansas on the state board of pharmacy fee fund (531-00-2718-0100) of the state board of

pharmacy is hereby increased from \$3,478,845 to \$3,692,053.

(b) On July 1, 2024, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2025, by section 26(a) of chapter 82 of the 2023 Session Laws of Kansas on the operating expenditures account (531-00-2718-0100) of the state board of pharmacy is hereby increased from \$2,000 to \$2,500.

Sec. 17.

REAL ESTATE APPRAISAL BOARD

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 27(a) of chapter 82 of the 2023 Session Laws of Kansas on the appraiser fee fund (543-00-2732-0100) of the real estate appraisal board is hereby increased from \$362,805 to \$371,842.

Sec. 18.

KANSAS REAL ESTATE COMMISSION

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 28(a) of chapter 82 of the 2023 Session Laws of Kansas on the real estate fee fund (549-00-2721-0100) of the Kansas real estate commission is hereby increased from \$1,272,735 to \$1,311,580.

Sec. 19.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 29(a) of chapter 82 of the 2023 Session Laws of Kansas on the technical professions fee fund (663-00-2729-0100) of the state board of technical professions is hereby increased from \$810,850 to \$824,843.

Sec. 20.

STATE BOARD OF VETERINARY EXAMINERS

(a) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 30(a) of chapter 82 of the 2023 Session Laws of Kansas on the veterinary examiners fee fund (700-00-2727-0100) of the state board of veterinary examiners is hereby increased from \$373,203 to \$385,316.

Sec. 21.

GOVERNMENTAL ETHICS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (247-00-1000-0103).....\$3,664

Sec. 22.

GOVERNMENTAL ETHICS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025:

Operating expenditures (247-00-1000-0103).....\$21,478

Sec. 23.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Legislative coordinating council –
operations (422-00-1000-0100).....\$6,535

(b) On the effective date of this act, of the \$5,192,618 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 33(a) of chapter 82 of the

2023 Session Laws of Kansas from the state general fund in the legislative research department – operations account (425-00-1000-0103), the sum of \$188,931 is hereby lapsed.

(c) On the effective date of this act, of the \$4,451,103 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 33(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account (579-00-1000-0103), the sum of \$841,072 is hereby lapsed.

(d) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$15,000,000 from the American rescue plan state relief fund (422-00-3756-3502) of the legislative coordinating council, formerly designated as the legislature employment security fund of the legislative coordinating council, to the Wichita state university ARPA health collaboration fund (715-00-3756).

(e) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$15,000,000 from the American rescue plan state relief fund (422-00-3756-3502) of the legislative coordinating council, formerly designated as the legislature employment security fund of the legislative coordinating council, to the university of Kansas ARPA health collaboration fund (682-00-3756).

Sec. 24.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Legislative coordinating council –
operations (422-00-1000-0100).....\$821,290

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Legislative research department –
operations (425-00-1000-0103).....\$5,153,147

Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Office of revisor of statutes –
operations (579-00-1000-0103).....\$4,801,277

Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special
revenue fund (425-00-2111-2000).....No limit

Legislature employment security fund.....No limit

Sec. 25.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Legislative information

system account (428-00-1000-0300).....\$287,831

Provided, That expenditures shall be made from this account by the above agency to issue a request for proposal by June 1, 2024, for a constituent relationship management software service to assist in decreasing response time for both staff and constituents, to encrypt data in transit to ensure constituent privacy, track casework through completion and include integrations with existing systems: *Provided, however*, That the expenditure for such services shall not exceed \$1,000,000.

(b) On the effective date of this act, of the \$19,020,910 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 35(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the operations (including official hospitality) account (428-00-1000-0103), the sum of \$348,450 is hereby lapsed.

(c) On the effective date of this act, in addition to the other purposes for which expenditures may be made by the above agency from the operations (including official hospitality) account (428-00-1000-0103) of the state general fund as authorized by section 35(a) of chapter 82 of the 2023 Session Laws of Kansas, this or any other appropriation act of the 2024 regular session of the legislature and the provisions of the Kansas legislative intern program pursuant to legislative coordinating council policy 37, expenditures shall be made by the above agency from such account in fiscal year 2024 to pay for the actual mileage of Kansas legislative interns traveling to the capitol for the required minimum of 12 days of attendance at the capitol.

Sec. 26.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operations (including official

hospitality) (428-00-1000-0103).....\$16,978,235

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee that are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive

no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2025 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2025: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2025: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2025: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2025: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*, That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*, That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*, That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council: *And provided further*, That in addition to the provisions of the Kansas legislative intern program pursuant to legislative coordinating council policy 37, expenditures shall be made by the above agency from this account in fiscal year 2025 to pay for the actual mileage of Kansas legislative interns traveling to the capitol for the required minimum of 12 days of attendance at the capitol: *And provided further*, That expenditures shall be made by the above agency from such account during fiscal year 2025 for the purpose of organizing and executing a bus tour of healthcare facilities in Kansas for members of the house of representatives committee on appropriations, the senate committee on ways and means and the joint committee on state building construction during the 2024 interim session of the legislature.

Legislative information

system (428-00-1000-0300).....\$8,476,205

Provided, That any unencumbered balance in the legislative information system account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures shall be made from this account by the above agency for the legislative coordinating council to review all proposals for a constituent relationship management software service submitted pursuant to the provisions of section 25 with the director of legislative services: *And provided further*, That the request for proposal issued pursuant to the provisions of section 25 shall close on July 31, 2024: *And provided further*, that the legislative coordinating council shall approve or reject a contract for such services on or before August 31, 2024, with the expectation that the service, if approved, will be implemented on or before December 1, 2024, for use by all legislators: *Provided, however*, That the total expenditure for such services shall not exceed \$1,000,025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special

revenue fund (428-00-2260-2200).....No limit

Provided, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-

4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*; That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*; That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2025 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2025: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2025: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2025: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2025.

Capitol restoration – gifts and

donations fund (428-00-7348-7000).....No limit

(c) As used in this section, "joint committee" includes the joint committee on administrative rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, joint committee on state building construction, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, compensation commission, joint committee on Kansas security, Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight, capitol preservation committee, joint committee on child welfare system oversight, joint committee on fiduciary financial institutions oversight and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

(d) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2025 to create an interim study committee to determine the

feasibility of rebuilding the Hutchinson correctional facility.

(e) Notwithstanding the provisions of K.S.A. 72-1439 or 72-3216, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency for fiscal year 2025 from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency to authorize unified school district no. 232, De Soto, to sell countryside learning center without providing notice to the legislature pursuant to K.S.A. 72-1439, and amendments thereto: *Provided*, That such sale of countryside learning center shall be approved by the board of education of unified school district no. 232: *Provided, however*, That proceeds from such sale of countryside learning center shall be used by unified school district no. 232 for recruitment expenses and signing bonuses to employ teachers, paraprofessionals and other teaching specialists and for workforce development and retention for classroom employees, teachers, paraprofessionals and other teaching specialists of unified school district no. 232: *Provided further*, That the provisions of this subsection shall be considered such authorization and no other action by the above agency is required to be taken regarding such sale.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 to install and make available during the 2025 regular session of the legislature short-range wireless technology to transmit live audio of the house of representatives and senate chamber during such chambers' session with access to such audio limited to approved legislator devices or otherwise allow for bluetooth connection and provide an independent internet network for such technology and access to such network be limited to legislators.

Sec. 27.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$3,534,391 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 37(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account (540-00-1000-0100), the sum of \$576,297 is hereby lapsed.

Sec. 28.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operations (including legislative post audit committee) (540-00-1000-0100).....\$3,478,835

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Sec. 29.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Governor's department (252-00-1000-0503).....	\$24,216
Domestic violence prevention grants (252-00-1000-0600).....	\$1,824
Child advocacy centers (252-00-1000-0610).....	\$107
CASA grant (252-00-1000-0630).....	\$65

(b) On the effective date of this act, during the fiscal years ending June 30, 2024, and June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal years 2024 and 2025 as authorized by section 38 of chapter 82 or section 8 of chapter 97 of the 2023 Session Laws of Kansas, this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to respond to the request for assistance from the state of Texas pursuant to the emergency management assistance compact, K.S.A. 48-9a01, and amendments thereto, or a memorandum of understanding between the governor and the governor of Texas: *Provided*, That the above agency shall collaborate with the adjutant general and the response and recovery bureau director to activate, mobilize and deploy state resources and implement the appropriate mutual aid plans and procedures: *Provided further*, That such assistance is being provided to assist in the prevention of drug trafficking, human trafficking, transactional criminal organizations and other related crimes contributing to an emergency.

Sec. 30.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Governor's department (252-00-1000-0503).....	\$4,159,669
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Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025:

Provided further, That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants (252-00-1000-0600).....	\$21,095,375
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Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers (252-00-1000-0610).....	\$4,246,433
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Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

CASA grant (252-00-1000-0630).....	\$1,229,368
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Provided, That any unencumbered balance in the CASA grant account in excess of

\$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That expenditures may be made from the CASA grant account for official hospitality and contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures, for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2025, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures, for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2025, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund (252-00-2149).....	No limit
<i>Provided</i> , That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: <i>Provided further</i> ; That the governor is hereby authorized to fix, charge and collect fees for such conferences: <i>And provided further</i> ; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: <i>And provided further</i> ; That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.	
Conversion of materials and equipment fund (252-00-2409).....	No limit
Kansas commission on disability concerns fee fund (252-00-2767).....	No limit
White collar crime fund (252-00-2853).....	No limit
Residential substance abuse – federal fund (252-00-3006).....	No limit
Arrest grant – federal fund (252-00-3082).....	No limit
National criminal history improvement program – federal fund (252-00-3189).....	No limit
Violence against women grant – federal fund (252-00-3214).....	No limit
Project safe neighborhoods – federal fund (252-00-3217).....	No limit
Coverdell forensic science improvement – federal fund (252-00-3227).....	No limit

Crime victim assistance – federal fund (252-00-3260).....	No limit
Pandemic assistance/vaccine equity fund (252-00-3372).....	No limit
Access visitation grant – federal fund (252-00-3460).....	No limit
Battered women/family violence prevention – federal fund (252-00-3461).....	No limit
Sexual assault services program – federal fund (252-00-3465).....	No limit
Family violence prevention services – ARPA federal fund (252-00-3640).....	No limit
Emergency rental assistance – federal fund (252-00-3646).....	No limit
Coronavirus emergency supplemental – federal fund (252-00-3671).....	No limit
Coronavirus relief fund – federal fund (252-00-3753).....	No limit
American rescue plan – state fiscal relief – federal fund (252-00-3756).....	No limit
Edward Byrne justice assistance grants – federal fund (252-00-3757).....	No limit
Prison rape elimination act – federal fund (252-00-3758).....	No limit
Homeowners' assistance – federal fund (252-00-3759).....	No limit
John R Justice grant – federal fund (252-00-3802).....	No limit
Hispanic and Latino American affairs commission – donations fund (252-00-7236).....	No limit
Advisory commission on African-American affairs – donations fund (252-00-7242).....	No limit

(e) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,500,000 from the American rescue plan – state fiscal relief – federal fund (252-00-3756) of the governor's department to the university of Kansas ARPA health collaboration fund (682-00-3756) of the university of Kansas.

(f) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,500,000 from the American rescue plan – state fiscal relief – federal fund (252-00-3756) of the governor's department to the Wichita state university ARPA health collaboration fund (715-00-3756) of Wichita state university.

Sec. 31.

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Natural gas litigation.....	\$1,000,000
Abuse, neglect and exploitation unit (082-00-1000-0500).....	\$1,366
Office of inspector general (082-00-1000-0300).....	\$3,181

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$600,000 from the state general fund to the medicaid fraud prosecution revolving fund (082-00-2641-2280) of the attorney general.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 39(b) of chapter 82 of the 2023 Session Laws of Kansas on the crime victims compensation fund (082-00-2563-2060) for state operations of the attorney general is hereby increased from \$536,550 to \$692,143.

(d) On the effective date of this act, notwithstanding the provisions of the Kansas fights addiction act, K.S.A. 2023 Supp. 75-775 through 75-781, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in the Kansas fights addiction fund (082-00-2826-2826) for fiscal year 2024, as authorized by section 39 of chapter 82 of the 2023 Session Laws of Kansas, this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by such agency from such fund in an amount of \$47,000 for fiscal year 2024 for drug abuse and addiction prevention services for youth at the Kansas City full circle program, inc.: *Provided, however;* That prior to making such expenditures, the above agency shall present to the Kansas fights addiction grant review board the above expenditure for the board's review.

(e) On the effective date of this act, of the \$5,363,740 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 39(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the operating expenditures account (082-00-1000-0103), the sum of \$10,062 is hereby lapsed.

Sec. 32.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (082-00-1000-0103).....	\$8,651,956
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however;* That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs (082-00-1000-0040).....	\$78,000
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Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Abuse, neglect and exploitation unit (082-00-1000-0500).....	\$370,365
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Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further;* That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other

agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants (082-00-1000-0400).....\$75,000

Child exchange and
visitation centers (082-00-1000-0450).....\$128,000

Provided, That, notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2025, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse (082-00-1000-0900).....\$570,900

Office of inspector general (082-00-1000-0300).....\$1,000,668

Provided, That any unencumbered balance in the office of inspector general account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Drug abuse resistance education program.....\$300,000

Provided, however, That, if 2024 House Bill No. 2613 is not passed by the legislature during the 2024 regular session and enacted into law, then on July 1, 2024, the \$300,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, by this section in the drug abuse resistance education program is hereby lapsed.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund (082-00-2029-2029).....No limit

Provided, That in furtherance of the purposes authorized by K.S.A. 75-7b17, and amendments thereto, specifically obtaining "such other information as deemed necessary by the attorney general" pursuant to K.S.A. 75-7b17(b)(5), and amendments thereto, expenditures may be made from the private detective fee fund to secure from the Kansas bureau of investigation criminal history record information related to adult convictions, adult non-convictions, adult diversions, adult expunged records, juvenile adjudications, juvenile non-adjudications, juvenile diversions and juvenile expunged records for fingerprints submitted in conjunction with an application for a private detective firearm permit.

Court cost fund (082-00-2012-2000).....No limit

Bond transcript review
fee fund (082-00-2254-2300).....No limit

Conversion of materials and
equipment fund (082-00-2405-2040).....No limit

Attorney general's antitrust special
revenue fund (082-00-2506-2050).....No limit

Medicaid fraud
reimbursement fund (082-00-9034-9040).....No limit

Medicaid fraud control unit (082-00-3060-3080).....No limit

Attorney general's antitrust
suspense fund (082-00-9002-9000).....No limit

Attorney general's consumer protection
clearing fund (082-00-9003-9010).....No limit

Attorney general's committee on crime prevention fee fund (082-00-2113-2090).....No limit

Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*, That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*, That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*, That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund (082-00-2613-2080).....No limit
Crime victims

compensation fund (082-00-2563-2060).....No limit

Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$681,791: *Provided further*, That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund (082-00-2598-2070).....No limit

Protection from abuse fund (082-00-2239-2030)No limit

Crime victims grants and gifts fund (082-00-7340-7010).....No limit

Provided, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Kansas attorney general batterer intervention program certification fund (082-00-2103-2103).....No limit

Debt collection administration cost recovery fund (082-00-2305-2240).....No limit

Provided, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund (082-00-2641-2280).....No limit

Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*, That, notwithstanding the provisions of K.S.A. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's

office for medicaid fraud prosecution direct and indirect costs.

Interstate water

litigation fund (082-00-2311-2295).....No limit

Provided, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund (082-00-9112-9030).....No limit

Children's advocacy

center fund (082-00-2654-2610).....No limit

Abuse, neglect and exploitation of

people with disabilities unit grant

acceptance fund (082-00-2482-2500).....No limit

Concealed weapon

licensure fund (082-00-2450-2400).....No limit

Tobacco master settlement agreement

compliance fund (082-00-2383-2320).....No limit

Sexually violent predator

expense fund (082-00-2379-2310).....No limit

County law enforcement

equipment fund (082-00-2470-2470).....No limit

Child exchange and visiting

centers fund (082-00-2579-2250).....No limit

Roofing contractor

registration fund (082-00-2774-2774).....No limit

State medicaid fraud control unit –

federal fund (082-00-3060-3060).....No limit

Com def sol – violence against women

federal fund (082-00-3082-3082).....No limit

Crime victims compensation

federal fund (082-00-3133-3020).....No limit

Ed Byrne state/local law enforcement

federal fund (082-00-3213-3213).....No limit

Violence against women – ARRA

federal fund (082-00-3214-3212).....No limit

Comm prsct/project safe neighborhood

federal fund (082-00-3217-3217).....No limit

Public safety prtnt/comm

pol fund (082-00-3218-3218).....No limit

Anti-gang initiative

federal fund (082-00-3229-3229).....No limit

Alcohol impaired driving cntnrs

federal fund (082-00-3247-3247).....	No limit
Children's justice grant	
federal fund (082-00-3381-3381).....	No limit
Sexual assault kit initiative	
federal fund (082-00-3416-3416).....	No limit
Ed Byrne memorial JAG – ARRA	
federal fund (082-00-3455-3455).....	No limit
Medicaid indirect cost	
federal fund (082-00-3919-3919).....	No limit
Federal forfeiture fund (082-00-3940-3940).....	No limit
SSA fraud prevention	
federal fund (082-00-2174-2175).....	No limit
False claims litigation	
revolving fund (082-00-2650-2600).....	No limit
<i>Provided</i> , That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 75-7501 et seq., and amendments thereto.	
Ed Byrne memorial justice assistance grant	
federal fund (082-00-3057-3057).....	No limit
911 state maintenance fund (082-00-2747-2447).....	No limit
DOT prohibit	
racial profiling (082-00-3566-3566).....	No limit
Human trafficking victim	
assistance fund (082-00-2775-2775).....	No limit
Criminal appeals cost fund (082-00-2779-2779).....	No limit
Attorney general's open	
government fund (082-00-2497-2497).....	No limit
Scrap metal theft reduction	
fee fund (082-00-2085-2100).....	No limit
Bail enforcement agents	
fee fund (082-00-2259-2259).....	No limit
<i>Provided</i> , That in furtherance of the purposes authorized by K.S.A. 75-7e01 through 75-7e09, and amendments thereto, expenditures may be made from the bail enforcement agents fee fund to secure from the Kansas bureau of investigation criminal history record information related to adult convictions, adult non-convictions, adult diversions, adult expunged records, juvenile adjudications, juvenile non-adjudications, juvenile diversions and juvenile expunged records for fingerprints submitted in conjunction with an application for a bail enforcement agent license.	
Fraud and abuse criminal	
prosecution fund (082-00-2262-2262).....	No limit
Attorney general's state agency	
representation fund (082-00-6125-6125).....	No limit
State medicaid fraud	
forfeiture fund (082-00-2822-2822).....	No limit
Charitable organizations	
fee fund (082-00-2863-2863).....	No limit
Kansas fights addiction fund (082-00-2826-2826).....	No limit

Provided, That, notwithstanding K.S.A. 2024 Supp. 76-776, and amendments thereto, expenditures shall be made from the Kansas fights addiction fund to include under the Kansas fights addiction act as a qualified applicant, as defined in K.S.A. 2024 Supp. 75-776, and amendments thereto, any for-profit private entity that provides services for the purpose of preventing, reducing, treating or otherwise abating or remediating substance abuse or addiction and that has released its legal claims arising from covered conduct against each defendant that is required by opioid litigation to pay into the fund: *Provided further*, That, notwithstanding the provisions of the Kansas fights addiction act, K.S.A. 2023 Supp. 75-775 through 75-781, and amendments thereto, or any other statute, expenditures shall be made from the Kansas fights addiction fund in an amount of \$185,000 for fiscal year 2025 for drug abuse and addiction prevention services for youth at the Kansas City full circle program, inc.: *Provided, however*, That prior to making such expenditures, the above agency shall present to the Kansas fights addiction grant review board the above expenditure for the board's review.

Municipalities fight
 addiction fund (082-00-2838-2838).....No limit
 Coronavirus relief fund (082-00-3753-3753).....No limit
 SUID case registry fund.....No limit

(c) During the fiscal year ending June 30, 2025, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund (082-00-2239-2030) and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund (082-00-2598-2070) shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

(d) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the state general fund to the sexually violent predator expense fund (082-00-2379-2310) of the attorney general.

(e) Notwithstanding the provisions of K.S.A. 75-769, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2025, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, to set legal representation charges for state agencies at a rate exceeding \$100 per hour.

(f) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$600,000 from the state general fund to the medicaid fraud prosecution revolving fund (082-00-2641-2280) of the attorney general.

(g) (1) During the fiscal year ending June 30, 2025, notwithstanding the provisions of Kansas consumer protection act, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2025 to enforce the provisions of the Kansas consumer protection act against a manufacturer that engages in the following actions:

(A) Deny, restrict, prohibit or otherwise interfere with the acquisition of a 340B

drug by or delivery of a 340B drug to a pharmacy that is under contract with a 340B-covered entity and authorized under such contract to receive and dispense 340B drugs on behalf of the 340B-covered entity, unless such receipt and dispensing of 340B drugs by such pharmacy is prohibited by the United States department of health and human services; or

(B) interfere with a pharmacy that has a contract with a 340B-covered entity.

(2) As used in this subsection:

(A) "340B-covered entity" means an entity that is participating in the federal 340B drug pricing program authorized by 42 U.S.C. § 256b, including such entity's pharmacy or pharmacies, or any pharmacy or pharmacies contracted for the purpose of dispensing drugs purchased through such program;

(B) "340B drug" means a drug that has been subject to any offer for reduced prices by a manufacturer pursuant to the federal 340B drug pricing program authorized by 42 U.S.C. § 256b and is purchased by a covered entity;

(C) "manufacturer" means the same as defined in K.S.A. 65-1626, and amendments thereto; and

(D) "pharmacy" means the same as defined in K.S.A. 65-1626, and amendments thereto.

Sec. 33.

ATTORNEY GENERAL

(a) (1) During the fiscal year ending June 30, 2026, notwithstanding the provisions of Kansas consumer protection act, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2026 by this or any other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2026 to enforce the provisions of the Kansas consumer protection act against a manufacturer that engages in the following actions:

(A) Deny, restrict, prohibit or otherwise interfere with the acquisition of a 340B drug by or delivery of a 340B drug to a pharmacy that is under contract with a 340B-covered entity and authorized under such contract to receive and dispense 340B drugs on behalf of the 340B-covered entity, unless such receipt and dispensing of 340B drugs by such pharmacy is prohibited by the United States department of health and human services; or

(B) interfere with a pharmacy that has a contract with a 340B-covered entity.

(2) As used in this subsection:

(A) "340B-covered entity" means an entity that is participating in the federal 340B drug pricing program authorized by 42 U.S.C. § 256b, including such entity's pharmacy or pharmacies, or any pharmacy or pharmacies contracted for the purpose of dispensing drugs purchased through such program;

(B) "340B drug" means a drug that has been subject to any offer for reduced prices by a manufacturer pursuant to the federal 340B drug pricing program authorized by 42 U.S.C. § 256b and is purchased by a covered entity;

(C) "manufacturer" means the same as defined in K.S.A. 65-1626, and amendments thereto; and

(D) "pharmacy" means the same as defined in K.S.A. 65-1626, and amendments thereto.

Sec. 34.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit	
fee fund (622-00-2225).....	No limit
HAVA ELVIS fund (622-00-2353-2150).....	No limit
Conversion of materials and	
equipment fund (622-00-2418).....	No limit
Information and services	
fee fund (622-00-2430-2300).....	No limit
<i>Provided</i> , That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.	
State register fee fund (622-00-2619-2500).....	No limit
Uniform commercial code	
fee fund (622-00-2664-2600).....	No limit
Technology communication fee fund (622-00-2672-2900).....	No limit
Athlete agent registration fee fund (622-00-2674-2700).....	No limit
Democracy fund (622-00-2702).....	No limit
<i>Provided</i> , That all expenditures from the democracy fund shall be to provide matching funds to implement title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.	
Help America vote act federal fund (622-00-3091).....	No limit
HAVA title I federal fund (622-00-3283-3283).....	No limit
HAVA election security fund 2018 (622-00-3956-3956).....	No limit
State flag and banner fund (622-00-5130-4600).....	No limit
Secretary of state fee	
refund fund (622-00-9047).....	No limit
Electronic voting machine	
examination fund (622-00-9101).....	No limit
Credit card clearing fund (622-00-9434).....	No limit
Suspense fund (622-00-9046).....	No limit
Prepaid services fund (622-00-9114).....	No limit

(b) During the fiscal year ending June 30, 2025, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2025 by the above agency by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2025 regular session of the legislature and detailing costs to local units of governments for conducting elections that include proposed constitutional amendments.

(c) On or before the 10th day of each month commencing July 1, 2024, during fiscal

year 2025, the director of accounts and reports shall transfer from the state general fund to the democracy fund interest earnings based on:

- (1) The average daily balance of moneys in the democracy fund for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

Sec. 35.

STATE TREASURER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Pregnancy compassion awareness program.....	\$2,000,000
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Provided, That expenditures shall be made from the pregnancy compassion awareness program account to continue the statewide program, previously known as the alternatives to abortion program, to enhance and increase resources that promote childbirth instead of abortion to women facing unplanned pregnancies and to offer a full range of services, including pregnancy support centers, adoption assistance and maternity homes: *Provided further*, That the program shall include only the following services: Counseling and mentoring; care coordination for prenatal services, including connecting clients to health programs; providing educational materials and information about pregnancy and parenting; referrals to county and social service programs, including child care, transportation, housing and state and federal benefit programs; classes on life skills, budgeting, parenting, stress management, job training, job placement and obtaining a GED certificate; providing material items including, but not limited to, car seats, cribs, maternity clothes, infant diapers and formula; and support groups in maternity homes: *And provided further*, That program services shall be made available to any Kansas resident who is a pregnant woman, the biological father of an unborn child, the biological or adoptive parent or legal guardian of a child 24 months of age or younger, a program participant who has experienced the loss of a child or a parent or legal guardian of a pregnant child who is a program participant: *And provided further*, That the provision and delivery of services under the program shall be dependent on participant needs as assessed by the nonprofit organization providing the services and not otherwise prioritized by any state agency: *And provided further*, That program services shall be available to participants only during pregnancy and continuing for up to 24 months after birth of the child: *And provided further*, That the state treasurer shall continue to contract with the nonprofit organization that was awarded such contract in fiscal year 2024 to provide services under the pregnancy compassion awareness program, and such nonprofit organization shall subcontract with existing pregnancy centers, adoption agencies, maternity homes and social service organizations to provide program services to promote childbirth instead of abortion: *And provided further*, That such contract extension shall be for a term not longer than one year: *And provided further*, That the selected contractor and any subcontractors may provide services in addition to the enumerated program services, but such services shall not be funded through the pregnancy compassion awareness program: *And provided further*, That the state treasurer shall include as a condition of the contract extension with the nonprofit organization selected to provide program services: (1) The assessment of an administrative fine for failure to satisfy program requirements, including required reporting, or for the intentional or reckless misuse of any funds

awarded by the terms of such contract, and such fine shall be in the amount of 10% of the funds awarded by the terms of such contract and shall be deposited into the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the state general fund; and (2) that such nonprofit organization shall submit a report to the legislature and the state treasurer on or before June 30, 2025, on the administration of the program during fiscal year 2025, including: The number of clients; the number of clients who participated in case management services; the number of case management hours provided to clients; the number of clients engaged in educational services or job training and placement activities; the number of newborns who were born to program participants; the number of such newborns placed for adoption; the number of fathers who participated in program services; the number of client satisfaction surveys completed; and any other information that shows the success of the contractor's administration of the program: *And provided further*, That the state treasurer shall establish the pregnancy compassion public awareness program to be administered by the same nonprofit organization contracted with to provide pregnancy compassion awareness program services: *And provided further*, That the purpose of the public awareness program is to help pregnant women who are at risk of having abortions to be made aware of the pregnancy compassion awareness program services: *And provided further*, That the public awareness program shall include the development and promotion of a website that provides a geographically indexed list of available pregnancy compassion awareness program services and nonprofit subcontractors that provide services: *And provided further*, That the public awareness program may include, but shall not be limited to, the use of television, radio, outdoor advertising, newspapers, magazines, other print media and the internet to provide information about the pregnancy compassion awareness program services and subcontractors: *And provided further*, That, to the greatest extent possible, the secretary for children and families shall supplement and match moneys appropriated for the pregnancy compassion awareness program with federal and other public and private moneys, and such moneys shall be prioritized to be used preferentially for the program and the public awareness program and be transferred from the special revenue fund or funds of the Kansas department for children and families as identified by the secretary for children and families to the pregnancy compassion awareness program account to be expended for such programs: *Provided, however*, That the pregnancy compassion awareness program and the pregnancy compassion public awareness program and any moneys appropriated or expended therefor shall not be used to perform, induce, assist in the performing or inducing of or refer for abortions, and moneys appropriated or expended for such programs shall not be granted to organizations or affiliates of organizations that perform, induce, assist in the performing or inducing of or refer for abortions.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer

operating fund (670-00-2374-2300).....\$1,911,024

Provided, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act during fiscal year 2025, the

state treasurer is hereby authorized and directed to credit the first amount equal to the expenditure limitation approved by this or other appropriation act of the legislature received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, Notwithstanding any provision of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, on June 30, 2025, the state treasurer shall certify any remaining unencumbered balance in the state treasurer operating fund exceeding \$100,000 to the director of accounts and reports, who shall transfer such certified amount from the state treasurer operating fund to the state general fund on June 30, 2025: *And provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2025 shall be credited as prescribed under the uniform unclaimed property act: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2025 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund (670-00-7754-6400).....	No limit
Bond services fee fund (670-00-2061-2500).....	No limit
City bond finance fund (670-00-7654).....	No limit
Local ad valorem tax reduction fund (670-00-7394-4800).....	No limit
County and city revenue sharing fund (670-00-7395-4900).....	No limit
Suspense fund (670-00-9054-9000).....	No limit
County and city retailers' sales tax fund (670-00-7608-6000).....	No limit
County and city compensating use tax fund (670-00-7667-6200).....	No limit
Local alcoholic liquor fund (670-00-7665-6100).....	No limit
Local alcoholic liquor equalization fund (670-00-7759-6500).....	No limit
Unclaimed property claims fund (670-00-7758-7700).....	No limit
Unclaimed property expense fund (670-00-2362-2200).....	No limit
<i>Provided</i> , That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.	
County and city transient guest tax fund (670-00-7602-6600).....	No limit
Racing admissions tax fund (670-00-7670-6300).....	No limit
Rental motor vehicle excise tax fund (670-00-7681-6800).....	No limit
Transportation development district sales tax fund (670-00-7601-7000).....	No limit
Redevelopment bond fund (670-00-7683-6900).....	No limit
Special qualified industrial	

manufacturer fund (670-00-9525-9525).....	No limit
Kansas postsecondary education savings program trust fund (670-00-7241-7100).....	No limit
Kansas postsecondary education savings expense fund (670-00-2096-2000).....	No limit
Conversion of materials and equipment fund (670-00-2461-2700).....	No limit
Tax increment financing revenue replacement fund (670-00-7391-4700).....	No limit
Spirit bonds fund (670-00-9515-9515).....	No limit
<i>Provided, That, on the 15th day of each month that commences during fiscal year 2025, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: Provided further, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: And provided further, That, on or before the 10th day of each month commencing during fiscal year 2025, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: And provided further, That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 74-50,136, and amendments thereto.</i>	
Business machinery and equipment tax reduction assistance fund (670-00-7684-7680).....	\$0
Telecommunications and railroad machinery and equipment tax reduction assistance fund (670-00-7685-7690).....	\$0
Community improvement district sales tax fund (670-00-7610-7650).....	No limit
Special economic revitalization fund (670-00-9520-9520).....	No limit
Bioscience development and investment fund (670-00-9510-9510).....	No limit
KS ABLE savings expense fund (670-00-2177-2177).....	No limit
Other federal grants fund (670-00-3878-3878).....	No limit
Distinctive license plate royalty fund (670-00-2885-2885).....	No limit
(c) Notwithstanding the provisions of K.S.A. 75-648, and amendments thereto, or	

any other statute, on July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the Kansas postsecondary education savings expense fund (670-00-2096-2000) of the state treasurer to the KS ABLE savings expense fund (670-00-2177-2177) of the state treasurer.

(d) On July 1, 2024, notwithstanding any provision of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2025, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund for grants to an eligible entity from a Kansas county with a population of more than 20,000 as of the 2020 census unless such eligible entity provides a 10% match of nonstate moneys for such project based on the amount of grant moneys to be awarded from the build Kansas matching grant fund for such eligible entity's infrastructure project: *Provided, however,* That the build Kansas advisory committee may waive such eligible entity matching requirement for any eligible entity in a city with a population of less than 5,000 as of the 2020 census.

(e) On July 1, 2024, notwithstanding any provision of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2025, expenditures may be made from or obligation incurred against the build Kansas matching grant fund to award matching grant funds to local communities that qualify as eligible entities for any federal grant program moneys related to water, transportation, energy, cybersecurity or broadband infrastructure requiring state or local community matching funds: *Provided,* That a grant funding application requested by eligible entities from the build Kansas matching grant fund shall be submitted to the build Kansas advisory committee: *Provided further,* That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer and the eligible entity submitting the grant application: *And provided further,* That the provisions of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas requiring written documentation to the state treasurer that such eligible entity's grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act shall apply to the grants authorized by this subsection for any other federal infrastructure grants awarded that are related to water, transportation, energy, cybersecurity or broadband infrastructure: *And provided further,* That, after the eligible entity advises and consults with the build Kansas advisory committee and receives notification of federal approval, the state treasurer shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further,* That, if during fiscal year 2025, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to finance grant applications approved pursuant to the provisions of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas and finance grants awarded to an eligible entity's infrastructure project funded pursuant to this subsection, the provisions of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas concerning requesting approval from the state finance council for a transfer of funding shall apply: *And provided further,* That the geographical distribution based on the department of commerce's Kansas economic development districts provisions of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas shall apply to the grants authorized by this subsection.

Sec. 36.

STATE TREASURER

(a) On July 1, 2025, notwithstanding any provision of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2026, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund for grants to an eligible entity from a Kansas county with a population of more than 20,000 as of the 2020 census unless such eligible entity provides a 10% match of nonstate moneys for such project based on the amount of grant moneys to be awarded from the build Kansas matching grant fund for such eligible entity's infrastructure project: *Provided, however,* That the build Kansas advisory committee may waive such eligible entity matching requirement for any eligible entity in a city with a population of less than 5,000 as of the 2020 census.

(b) On July 1, 2025, notwithstanding any provision of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2026, expenditures may be made from or obligation incurred against the build Kansas matching grant fund to award matching grant funds to local communities that qualify as eligible entities for any federal grant program moneys related to water, transportation, energy, cybersecurity or broadband infrastructure requiring state or local community matching funds: *Provided,* That a grant funding application requested by eligible entities from the build Kansas matching grant fund shall be submitted to the build Kansas advisory committee: *Provided further,* That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer and the eligible entity submitting the grant application: *And provided further,* That the provisions of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas requiring written documentation to the state treasurer that such eligible entity's grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act shall apply to the grants authorized by this subsection for any other federal infrastructure grants awarded that are related to water, transportation, energy, cybersecurity or broadband infrastructure: *And provided further,* That, after the eligible entity advises and consults with the build Kansas advisory committee and receives notification of federal approval, the state treasurer shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further,* That if during fiscal year 2026, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to finance grant applications approved pursuant to the provisions of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas and finance grants awarded to an eligible entity's infrastructure project funded pursuant to this subsection, the provisions of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas concerning requesting approval from the state finance council for a transfer of funding shall apply: *And provided further,* That the geographical distribution based on the department of commerce's Kansas economic development districts provisions of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas shall apply to the grants authorized by this subsection: *And provided further,* That the report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means pursuant to section 13(a) of chapter 97 of the 2023 Session Laws of Kansas shall include all eligible entity infrastructure projects funded pursuant to section 35.

Sec. 37.

STATE TREASURER

(a) On July 1, 2026, notwithstanding any provision of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2027, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund for grants to an eligible entity from a Kansas county with a population of more than 20,000 as of the 2020 census unless such eligible entity provides a 10% match of nonstate moneys for such project based on the amount of grant moneys to be awarded from the build Kansas matching grant fund for such eligible entity's infrastructure project: *Provided, however,* That the build Kansas advisory committee may waive such eligible entity matching requirement for any eligible entity in a city with a population of less than 5,000 as of the 2020 census.

(b) On July 1, 2026, notwithstanding any provision of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2027, expenditures may be made from or obligation incurred against the build Kansas matching grant fund to award matching grant funds to local communities that qualify as eligible entities for any federal grant program moneys related to water, transportation, energy, cybersecurity or broadband infrastructure requiring state or local community matching funds: *Provided,* That a grant funding application requested by eligible entities from the build Kansas matching grant fund shall be submitted to the build Kansas advisory committee: *Provided further,* That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer and the eligible entity submitting the grant application: *And provided further,* That the provisions of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas requiring written documentation to the state treasurer that such eligible entity's grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act shall apply to the grants authorized by this subsection for any other federal infrastructure grants awarded that are related to water, transportation, energy, cybersecurity or broadband infrastructure: *And provided further,* That, after the eligible entity advises and consults with the build Kansas advisory committee and receives notification of federal approval, the state treasurer shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further,* That if during fiscal year 2027, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to finance grant applications approved pursuant to the provisions of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas and finance grants awarded to an eligible entity's infrastructure project funded pursuant to this subsection, the provisions of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas concerning requesting approval from the state finance council for a transfer of funding shall apply: *And provided further,* That the geographical distribution based on the department of commerce's Kansas economic development districts provisions of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas shall apply to the grants authorized by this subsection: *And provided further,* That the report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means pursuant to section 14(a)

of chapter 97 of the 2023 Session Laws of Kansas shall include all eligible entity infrastructure projects funded pursuant to section 36.

Sec. 38.

STATE TREASURER

(a) On July 1, 2027, notwithstanding any provision of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2028, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund for grants to an eligible entity from a Kansas county with a population of more than 20,000 as of the 2020 census unless such eligible entity provides a 10% match of nonstate moneys for such project based on the amount of grant moneys to be awarded from the build Kansas matching grant fund for such eligible entity's infrastructure project: *Provided, however,* That the build Kansas advisory committee may waive such eligible entity matching requirement for any eligible entity in a city with a population of less than 5,000 as of the 2020 census.

(b) On July 1, 2027, notwithstanding any provision of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2028, expenditures may be made from or obligation incurred against the build Kansas matching grant fund to award matching grant funds to local communities that qualify as eligible entities for any federal grant program moneys related to water, transportation, energy, cybersecurity or broadband infrastructure requiring state or local community matching funds: *Provided,* That a grant funding application requested by eligible entities from the build Kansas matching grant fund shall be submitted to the build Kansas advisory committee: *Provided further,* That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer and the eligible entity submitting the grant application: *And provided further,* That the provisions of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas requiring written documentation to the state treasurer that such eligible entity's grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act shall apply to the grants authorized by this subsection for any other federal infrastructure grants awarded that are related to water, transportation, energy, cybersecurity or broadband infrastructure: *And provided further,* That, after the eligible entity advises and consults with the build Kansas advisory committee and receives notification of federal approval, the state treasurer shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further,* That if during fiscal year 2028, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to finance grant applications approved pursuant to the provisions of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas and finance grants awarded to an eligible entity's infrastructure project funded pursuant to this subsection, the provisions of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas concerning requesting approval from the state finance council for a transfer of funding shall apply: *And provided further,* That the geographical distribution based on the department of commerce's Kansas economic development districts provisions of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas shall apply to the grants authorized by this subsection: *And provided further,* That the report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund

for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means pursuant to section 15(a) of chapter 97 of the 2023 Session Laws of Kansas shall include all eligible entity infrastructure projects funded pursuant to section 37 and this subsection, if any.

Sec. 39.

INSURANCE DEPARTMENT

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 47(a) of chapter 82 of the 2023 Session Laws of Kansas on the insurance department service regulation fund (331-00-2270-2400) of the insurance department for official hospitality is hereby increased from \$2,500 to \$7,500.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 47(a) of chapter 82 of the 2023 Session Laws of Kansas on the securities act fee fund (331-00-2162-0100) of the insurance department for official hospitality is hereby increased from \$2,000 to \$3,000.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 47(a) of chapter 82 of the 2023 Session Laws of Kansas on the investor education and protection fund (331-00-2242-2240) of the insurance department for official hospitality is hereby increased from \$5,000 to \$6,000.

(d) On the effective date of this act, the director of accounts and reports shall transfer all moneys in the state flexibility to stabilize the market grant program fund (331-00-3648-3648) of the insurance department to the insurance department service regulation fee fund (331-00-2270-2400) of the insurance department. On the effective date of this act, all liabilities of the state flexibility to stabilize the market grant program fund are hereby transferred to and imposed on the insurance department service regulation fee fund and the state flexibility to stabilize the market grant program fund is hereby abolished.

Sec. 40.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Insurance department service
 - regulation fund (331-00-2270-2400).....No limit*Provided*, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$7,500.
 - Insurance company
 - examination fund (331-00-2055-2000).....No limit
 - Insurance company annual statement
 - examination fund (331-00-2056-2100).....No limit
 - Insurance company examiner
 - training fund (331-00-2057-2200).....No limit
 - Workers compensation fund (331-00-7354-7000).....No limit
- Provided*, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were

rendered or when the initial award of benefits was made.

State firefighters relief fund (331-00-7652-7130).....No limit

Insurance company tax and fee

refund fund (331-00-9017-9100).....No limit

Uninsurable health insurance

plan fund (331-00-2328-2500).....No limit

Private grants and

gifts fund (331-00-7301-7301).....No limit

Insurance education and

training fund (331-00-2367-2600).....No limit

Provided, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Monumental life

settlement fund (331-00-7360-7360).....No limit

Provided, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund (331-00-2351-2510).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2025 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund (331-00-2523-2520).....No limit

Provided, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Professional employer organization

fee fund (331-00-2678-2678).....No limit

Pharmacy benefits manager

licensure fund (331-00-2665-2665).....No limit

Securities act fee fund (331-00-2162-0100).....No limit

Provided, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$3,000.

Investor education and

protection fund (331-00-2242-2240).....No limit
Provided, That expenditures from the investor education and protection fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$6,000.

Captive insurance regulatory and

supervision fund (331-00-2309-2309).....No limit

Coronavirus relief fund (331-00-3753-3753).....No limit

Group-funded pools refund fund.....No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund (331-00-2055-2000) for fiscal year 2025 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2025 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

Sec. 41.

HEALTH CARE STABILIZATION
FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Conference fee fund (270-00-2453-2453).....No limit

Health care stabilization fund (270-00-7404-2000).....No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2025, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures (270-00-7404-2100).....No limit

Provided, That expenditures may be made from the operating expenditures account for official hospitality.

Legal services and other

claims expenses (270-00-7404-2300).....No limit

Claims and benefits (270-00-7404-2400).....No limit

Sec. 42.

POOLED MONEY INVESTMENT BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Municipal investment

pool fund (671-00-7537-7000).....No limit

Pooled money investment portfolio

fee fund (671-00-2319-2000).....No limit

Provided, That, on or before the fifth day of each month of the fiscal year ending June 30, 2025, the state treasurer shall certify to the pooled money investment board an

accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*, That, prior to the 10th day of each month during the fiscal year ending June 30, 2025, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund (671-00-2319-2000) to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

(b) During the fiscal year ending June 30, 2025, if the director of the budget determines that the ending balance in the state general fund is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in fiscal year 2024, the director of the budget shall certify such determination to the above agency: *Provided*, That in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for the above agency for fiscal year 2025 by this or other appropriation act of the 2025 regular session of the legislature, upon receipt of such determination, the above agency shall invest 50% of the amount of moneys in the budget stabilization fund pursuant to the provisions of this subsection: *Provided further*, That in addition to the provisions of article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, and the investment policies of the above agency, such moneys in the budget stabilization fund shall be invested for a period of time not to exceed 12 months: *And provided further*, That all interest or other income of the investments of such moneys shall be deposited in the state treasury to the credit of the budget stabilization fund: *And provided further*, That as soon as such funds have been invested, the above agency shall submit periodic reports to the legislative budget committee on the status of such investments.

Sec. 43.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (349-00-1000).....\$4,757

Sec. 44.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (349-00-1000-0100).....\$727,676

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Judicial council fund (349-00-2127-2100).....No limit

Grants and gifts fund (349-00-7326-7000).....No limit

Provided, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

Publications fee fund (349-00-2297-2000).....No limit
Coronavirus relief fund (349-00-3753-3772).....No limit
Sec. 45.

STATE BOARD OF INDIGENTS'
DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Assigned counsel expenditures (328-00-1000-0700).....\$3,000,000
Operating expenditures (328-00-1000-0603).....\$148,296
Capital defense operations (328-00-1000-0800).....\$28,703
Sec. 46.

STATE BOARD OF INDIGENTS'
DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (328-00-1000-0603).....\$27,237,283

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*; That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*; That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures (328-00-1000-0700).....\$24,672,309

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2025: *Provided further*; That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered: *And provided further*; That, notwithstanding the provisions of K.S.A. 22-4507, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such account for fiscal year 2025 to set the maximum rate of compensation of assigned counsel in fiscal year 2025 at \$120 per hour.

Capital defense operations (328-00-1000-0800).....\$5,233,841

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the capital defense operations account is hereby reappropriated for fiscal year 2025: *Provided further*; That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were

rendered.

Legal services for prisoners (328-00-1000-0500).....\$402,382
Indigents' defense

services operations (328-00-1000-0610).....\$156,847

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

Litigation support (328-00-1000-0510).....\$2,327,691

Provided, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training

grant fund (328-00-3211-3211).....No limit

Indigents' defense

services fund (328-00-2119-2000).....No limit

Provided, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop

fee fund (328-00-2186-2100).....No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2025, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2025, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2025 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the state board of indigents' defense services from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by this act or other appropriation act of the 2025 regular session of the

legislature, expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 to classify public defenders based on the level of cases such public defenders are assigned.

Sec. 47.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) During the fiscal year ending June 30, 2026, notwithstanding the provisions of K.S.A. 22-4507, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the assigned counsel expenditures account (328-00-1000-0700) of the state general fund for fiscal year 2026 to set the maximum rate of compensation of assigned counsel in fiscal year 2026 at \$120 per hour.

Sec. 48.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Judiciary operations (677-00-1000-0103).....\$3,393,443

Sec. 49.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Judiciary operations (677-00-1000-0103).....\$197,756,795

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: Provided further, That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: And provided further, That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: And provided further, That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: And provided further, That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: And provided further, That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Byrne discretionary grants
program fund (677-00-3654-3654).....No limit
BJA veterans treatment court discretionary
grant program fund (677-00-3922-3922).....No limit
National crime history improvement
program fund (677-00-3189-3189).....No limit
Library report fee fund (677-00-2106-2000).....No limit
State and community highway safety -
federal fund (677-00-3815-3815).....No limit

Dispute resolution fund (677-00-2126-3500).....	No limit
Judicial branch	
education fund (677-00-2324-1900).....	No limit
<i>Provided, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: Provided further, That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: And provided further, That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: And provided further, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.</i>	
Child welfare federal	
grant fund (677-00-3942-3300).....	No limit
Child support enforcement contractual	
agreement fund (677-00-2681-2400).....	No limit
SJI grant fund (677-00-2714-2714).....	No limit
Bar admission fee fund (677-00-2724-2500).....	No limit
Permanent families account – family and children	
investment fund (677-00-7317-7000).....	No limit
Duplicate law book fund (677-00-2543-2300).....	No limit
Court reporter fund (677-00-2725-2600).....	No limit
Judicial branch nonjudicial salary	
initiative fund (677-00-2229-2800).....	No limit
Judicial branch nonjudicial salary	
adjustment fund (677-00-2389-3200).....	No limit
Federal grants fund (677-00-3082-3100).....	No limit
District magistrate judge supplemental	
compensation fund (677-00-2398-2390).....	No limit
Correctional supervision	
fund (677-00-2465-2465).....	No limit
Violence against women grant fund –	
ARRA (677-00-3214-3214).....	No limit
Judicial branch docket	
fee fund (677-00-2158-2158).....	No limit
Electronic filing and	
management fund (677-00-2791-2791).....	No limit
Coronavirus emergency	
supplemental fund (677-00-3671-3671).....	No limit
Coronavirus relief fund (677-00-3753).....	No limit
Ed Byrne memorial justice	
assistance grant fund (677-00-3057).....	No limit

Specialty court resources fund (677-00-2879-2879).....No limit
 American rescue plan state relief fund (677-00-3756-3536).....No limit
 Sec. 50.

KANSAS PUBLIC EMPLOYEES
 RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Kansas public employees
 - retirement fund (365-00-7002-7000).....No limit
 - Provided*, That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.
 - Kansas public employees deferred compensation
 - fees fund (365-00-2376).....No limit
 - Group insurance reserve fund (365-00-7358-9200).....No limit
 - Optional death benefit plan
 - reserve fund (365-00-7357-9100).....No limit
 - Kansas endowment for
 - youth fund (365-00-7000-2000).....No limit
 - Senior services trust fund (365-00-7550-7600).....No limit
 - Family and children endowment
 - account – family and children
 - investment fund (365-00-7010-4000).....No limit
- Non-retirement
 - administration fund (365-00-2277).....No limit

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund (365-00-7002) for the fiscal year ending June 30, 2025, for the following specified purposes:

- Agency operations (365-00-7002-7400).....\$31,768,430
- Provided*, That expenditures from the agency operations account may be made for official hospitality.
- Investment-related expenses (365-00-7002-8000).....No limit

(c) On July 1, 2024, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by K.S.A. 38-2102(d)(4), and amendments thereto, to be transferred on July 1, 2024, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund shall be \$56,748,405.

Sec. 51.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, of the \$1,074,268 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 58(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the operating expenditures account (058-00-1000-0103), the sum of \$29,999 is hereby passed.

Sec. 52.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (058-00-1000-0103).....\$1,165,667

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$500: *Provided further*, That expenditures in an amount of not to exceed \$174,000 may be made from this account for mediation services contracted with Kansas legal services.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State and local fair employment practices –

federal fund (058-00-3016-3000).....No limit

Education and training fund (058-00-2282-2000).....No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 53.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service

regulation fund (143-00-2019-0100).....No limit

Gas pipeline inspection

fee fund (143-00-2023-1100).....No limit

Conservation fee fund (143-00-2130-2000).....No limit

Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*, That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund (173-00-6105-4010) of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2026 budget

estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2025, 2026 and 2027.

Abandoned oil and gas

well fund (143-00-2143-2100).....No limit

Provided, That notwithstanding the provisions of K.S.A. 55-192, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such fund to address ground water well contamination from abandoned wells located in Butler county, Kansas: *Provided further*, That the above agency shall work with landowners at 13726 SW Thunder Road and 14937 SW Thunder Road in Augusta, Kansas, to assist in the costs of demolition of the habitable structures located on such land: *Provided, however*, That expenditures for such purposes shall not exceed \$250,000 on each such property.

Natural gas underground storage

fee fund (143-00-2181-2120).....No limit

Inservice education workshop

fee fund (143-00-2316-2300).....No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*, That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Facility conservation improvement

program fund (000-00-2432-2400).....No limit

Energy grants

management fund (000-00-2667).....No limit

Motor carrier license

fees fund (143-00-2812-5500).....No limit

MPG for states and tribes –

federal fund (143-00-3103-3103).....No limit

Energy efficiency revolving loan program –

ARRA federal fund (000-00-3161).....No limit

Provided, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter

into contracts with other state agencies and with persons, as may be necessary, to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Special one-call –

federal fund (143-00-3477-3477).....	No limit
Gas pipeline safety program –	
federal fund (143-00-3632-3000).....	No limit
One call – federal fund (143-00-3633-3120).....	No limit
Underground natural gas storage –	
federal fund (143-00-3639-3641).....	No limit
Energy community revitalization –	
federal fund (143-00-3656-3656).....	No limit
Energy conservation plan –	
federal fund (000-00-3682-3500).....	No limit
Underground injection control class II –	
federal fund (143-00-3768-3700).....	No limit
Unified carrier registration	
clearing fund (143-00-9062-9100).....	No limit
Energy efficiency conservation	
block grant – federal fund.....	No limit
High efficiency electric	
home rebate – federal fund.....	No limit
Home owner managing	
energy savings – federal fund.....	No limit
Grid resilience BIL formula – federal fund.....	No limit
Credit card clearing fund (143-00-9401-9400).....	No limit
Suspense fund (143-00-9007-9000).....	No limit
Municipal natural gas utility distribution	
grant program ARPA fund (143-00-3756).....	No limit

Provided, That expenditures shall be made from the municipal natural gas utility distribution grant program ARPA fund for providing small municipalities currently being served by a natural gas gathering field to design, construct and install natural gas distribution lines that connect to a natural gas service provider and infrastructure for such lines: *Provided further*, That the above agency shall establish an application

process to award such grants to eligible municipalities: *And provided further*, That the above agency shall expend a partial amount of the grant to eligible municipalities for the completion of a natural gas cost of service and revenue rate requirement study on proposed natural gas distribution lines: *And provided further*, That the municipality shall contract with an external and reputable entity to conduct and complete a natural gas cost of service and revenue rate requirement study that studies the cost of service of such distribution lines, including the cost of the natural gas, natural gas transport, distribution, distribution labor, maintenance and administration of such lines, and the costs of maintaining and upgrading the natural gas distribution lines in the city limits of such municipality: *And provided further*, That such study shall provide the municipality with a natural gas utility rate that recovers actual costs for the maintenance and necessary upgrades of the natural gas distribution lines in the city limits of such municipality: *And provided further*, That such municipality shall implement and charge a rate that recovers the actual costs for the maintenance and necessary upgrades of the natural gas distribution lines in the city limits of such municipality: *And provided further*, That such municipality shall identify and contract with a natural gas service provider for the provision of such natural gas utility: *And provided further*, That, upon completion of such study, implementation of such rate and contract provision of service, the above agency shall expend the remaining amount of the grant to the municipality for the design, construction and installation of such lines and infrastructure.

(b) Expenditures for the fiscal year ending June 30, 2025, by the state corporation commission from the conservation fee fund (143-00-2130-2000) or the abandoned oil and gas well fund (143-00-2143-2100) may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2025 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2025, notwithstanding the provisions of any other statute, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The chairperson of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Expenditures for the fiscal year ending June 30, 2025, by the state corporation commission from the public service regulation fund (143-00-2019-0100) for official hospitality shall not exceed \$2,030.

(e) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund (143-00-2130-2000), the public service regulation fund (143-00-2019-0100) and the motor carrier license fees fund (143-00-2812-5500) shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the

state general fund.

(f) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund (143-00-2019-0100) of the state corporation commission to the state general fund.

(g) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,000,000 from the American rescue plan state relief fund (422-00-3756-3502) of the legislative coordinating council, formerly designated as the legislature employment security fund of the legislative coordinating council, to the municipal natural gas utility distribution grant program ARPA fund (143-00-3756).

Sec. 54.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund (122-00-2030-2000).....\$1,288,098

(b) During the fiscal year ending June 30, 2025, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund (122-00-2030-2000) for fiscal year 2025 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2025 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2024, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2025 may be expended from the utility regulatory fee fund for fiscal year 2025 pursuant to contracts for professional services and any such expenditure for fiscal year 2025 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2025.

Sec. 55.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (173-00-1000-0200).....\$38,078

Budget analysis (173-00-1000-0520).....\$12,873

Office of public advocates (173-00-1000-0300).....\$6,628

Licensing verification portal (173-00-1000-0030).....\$7,000,000

Printing plant improvements (173-00-1000-8546).....\$400,000

Security against antisemitism (173-00-1000).....\$500,000

(b) On the effective date of this act, for fiscal year 2024, the secretary of administration is hereby authorized to receive gifts, grants, bequests or donations of money for the benefit of cedar crest: *Provided*, That such gifts, grants, bequests or donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the friends of cedar crest endowment fund.

Sec. 56.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Licensing verification portal (173-00-1000-0030).....\$1,524,000

Provided, That any unencumbered balance in the licensing verification portal account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Operating expenditures (173-00-1000-0200).....\$5,087,547

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025:

Provided, however, That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis (173-00-1000-0520).....\$2,202,546

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Office of public advocates (173-00-1000-0300).....\$1,071,165

Provided, That any unencumbered balance in the office of public advocates account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service (173-00-1000-0440).....\$88,186,844

Debt service refunding – 2004C (173-00-1000).....\$1,540,000

Any unencumbered balance in the following accounts as of June 30, 2024, are hereby reappropriated for fiscal year 2025: Long-term care ombudsman (173-00-1000-0580), Docking state office building rehabilitation and repair (173-00-1000-8545), security against antisemitism (173-00-1000) and cedar crest living quarters expenses (173-00-1000-0631).

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2025, the following:

KPERS bond debt service (173-00-1700-1704).....\$34,563,142

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Department of administration

audit services fund (173-00-2819-2819).....No limit

Budget stabilization fund (173-00-1600-1600).....\$0

Federal cash

management fund (173-00-2001-2200).....No limit

State leave payment

reserve fund (173-00-7730-7350).....No limit

Building and ground fund (173-00-2028-2000).....No limit
General fees fund (173-00-2197-2020).....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*; That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*; That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*; That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost

recovery fund (173-00-6103-5700).....No limit
Budget fees fund (173-00-2191-2100).....No limit

Provided, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*; That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*; That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*; That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund (173-00-2017-2130).....No limit

Provided, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*; That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*; That all fees received for such operating expenses shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services

fee fund (173-00-2075-2110).....No limit

Provided, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*; That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*; That all fees received for such reproduction and distribution of architectural

information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment

- conversion fund (173-00-2434-2090).....No limit
- Conversion of materials and equipment fund (173-00-2408-2030).....No limit
- Architectural services equipment conversion fund (173-00-2401-2170).....No limit
- Property contingency fund (173-00-2640-2060).....No limit
- Flood control emergency – federal fund (173-00-3024-3020).....No limit
- INK special revenue fund (173-00-2764-2702).....No limit
- State buildings operating fund (173-00-6148-4100).....No limit

Provided, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *Provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund (173-00-2028-2000), as determined and directed by the secretary of administration: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by K.S.A. 75-37,123(a), and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee county, including both state-owned and privately owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services

- recovery fund (173-00-6105-4010).....No limit
- Provided*, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*, That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration that are not specifically authorized by any other statute:

And provided further, That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services

recovery fund (173-00-6151-5500).....No limit

Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further,* That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further,* That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund (173-00-6109-4020).....No limit

Intragovernmental printing

service fund (173-00-6165-9800).....No limit

Intragovernmental printing service depreciation

reserve fund (173-00-6167-9810).....No limit

Municipal accounting and training services

recovery fund (173-00-2033-1850).....No limit

Provided, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further,* That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further,* That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further,* That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants

payment fund (173-00-2645-2070).....No limit

State emergency fund (173-00-2581-2150).....No limit

Bid and contract

deposit fund (173-00-7609-7060).....No limit

Federal withholding tax

clearing fund (173-00-7701-7080).....No limit

Financial management system

development fund (173-00-6135-6130).....No limit

Provided, That the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided further,* That all moneys received for such fees and special assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund.

State gaming revenues fund (173-00-9011-9100).....	No limit
Financial management system development fund – on budget (173-00-2689-2689).....	No limit
Construction defects recovery fund (173-00-2632-2615).....	No limit
Facilities conservation improvement fund (173-00-8745-4912).....	No limit
State revolving fund services fee fund (173-00-2038-2700).....	No limit
Conversion of materials and equipment – recycling program fund (173-00-2435-2031).....	No limit
Curtis office building maintenance reserve fund (173-00-2010-2190).....	No limit
Equipment lease purchase program administration clearing fund (173-00-8701-8000).....	No limit
Suspense fund (173-00-9075-9220).....	No limit
Electronic funds transfer suspense fund (173-00-9175-9490).....	No limit
Surplus property program fund – on budget (173-00-2323-2300).....	No limit
Surplus property program fund – off budget (173-00-6150-6150).....	No limit
Older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287).....	No limit
Older Americans act title VII long-term care ombudsman federal fund (173-00-3358-3140).....	No limit
Long-term care ombudsman gift and grant fund (173-00-7258-7280).....	No limit
CRRSA 2021 LTC ombudsman fund (173-00-3680).....	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund (173-00-3414-3414).....	No limit
Wireless enhanced 911 grant fund (173-00-2577-2570).....	No limit
Bioscience development fund (173-00-2765-2703).....	No limit
Dwight D Eisenhower statue fund (173-00-7243-7243).....	No limit
Digital imaging program fund (173-00-6121-6121).....	No limit
<i>Provided</i> , That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.	
Preventive healthcare program fund (173-00-2556-2550).....	No limit
Cafeteria benefits fund (173-00-7720-7723).....	No limit
State workers compensation	

self-insurance fund (173-00-6170-6170).....No limit
Provided, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2025, for salaries and wages and other operating expenditures shall not exceed \$5,344,832.

Dependent care assistance
program fund (173-00-7740-7799).....No limit
Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2025, for salaries and wages and other operating expenditures shall not exceed \$160,000.

Non-state employer group
benefit fund (173-00-7707-7710).....No limit
Health benefits administration clearing fund –
remit admin service org (173-00-7746-7746).....No limit
Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2025, for salaries and wages and other operating expenditures shall not exceed \$7,465,000.

Health insurance premium
reserve fund (173-00-7350-7350).....No limit
Coronavirus relief fund (173-00-3753).....No limit

Kansas suffragist
memorial fund (173-00-7245-7245).....No limit
Kansas gold star families
memorial fund (173-00-7244-7244).....No limit

Friends of cedar crest endowment fund.....\$0
Provided, That on or before the 10th day of each month commencing on July 1, 2024, during fiscal year 2025, the director of accounts and reports shall transfer from the state general fund to the friends of cedar crest endowment fund interest earnings based on: (1) The average daily balance of moneys in the friends of cedar crest endowment fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

1st Kansas (colored) voluntary infantry regiment mural fund.....No limit
Ad astra sculpture fund.....No limit

(d) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025 by this or other appropriation act of the 2025 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2025, for the secretary of administration, as part of the system of payroll accounting formulated under K.S.A. 75-5501, and amendments thereto, to establish a payroll deduction plan, for the purpose of allowing insurers, who are authorized to do business in the state of Kansas, to offer to state employees accident, disability, specified disease and hospital indemnity products, which may be purchased by such employees: *Provided, however*; That any such insurer and indemnity product shall be approved by the Kansas state employees health care commission prior to the establishment of such payroll deduction: *Provided*, That upon notification of an employing agency's receipt of written authorization by any state

employee, the director of accounts and reports shall make periodic deductions of amounts as specified in such authorization from the salary or wages of such state employee for the purpose of purchasing such indemnity products: *Provided further*; That, subject to the approval of the secretary of administration, the director of accounts and reports may prescribe procedures, limitations and conditions for making payroll deductions pursuant to this section.

(e) On July 1, 2024, the director of accounts and reports shall transfer \$210,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(f) During the fiscal year ending June 30, 2025, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or funds or in any capital improvement account of the state general fund for the above agency for fiscal year 2025 by this or other appropriation act of the 2025 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or funds or any such capital improvement account of the state general fund for fiscal year 2025 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(h) (1) On July 1, 2024, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget that shall be equal to 75% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2025, except that such amount shall be proportionally adjusted during fiscal year 2025 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2025. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2025 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2025, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2025.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and

maintained for the state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(i) (1) On July 1, 2024, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget that shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2025, except that such amount shall be proportionally adjusted during fiscal year 2025 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2025. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2025 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2025, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2025.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(j) During the fiscal year ending June 30, 2025, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2025, from the state general fund for the department of administration to another item of appropriation for fiscal year 2025 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2025, the following:

SIBF – state
building insurance (173-00-8100-8920).....\$575,000
Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building insurance account of the state institutions building fund for state building insurance premiums.

(l) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2025, the following:

CIBF – state
building insurance (173-00-8600-8930).....\$675,000
Provided, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building

insurance premiums.

(m) On July 1, 2024, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2025, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287) of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2025 shall be equal to and shall not exceed the older Americans act title VII: ombudsman award and 4.38% of the Kansas older Americans act title III: part B supportive services award.

(n) (1) (A) Prior to August 15, 2024, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection: *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection. At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2024, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection, the appropriation for fiscal year 2025 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2025, by this or other appropriation act of the 2025 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection.

(2) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection, the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the regents agencies for fiscal year 2025.

(3) As used in this subsection, "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, the university of Kansas, the university of Kansas medical center and Wichita state university.

- (4) The provisions of this subsection shall not apply to:
- (A) Any money held in trust in a trust fund or held in trust in any other special revenue fund or funds of any regents agency;
 - (B) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection;
 - (C) any account of the Kansas educational building fund; or
 - (D) any fund of any regents agency in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection, including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.
- (5) Each amount transferred from any special revenue fund of any regents agency to the state general fund pursuant to this subsection is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the regents agency involved by other state agencies that receive appropriations from the state general fund to provide such services.
- (o) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025 by this or other appropriation act of the 2025 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2025, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.
- (p) (1) On July 1, 2024, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget that shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2025, except that such amount shall be proportionally adjusted during fiscal year 2025 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during

fiscal year 2025. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2025 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2025, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2025.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

(q) (1) On July 1, 2024, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget that shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2025, except that such amount shall be proportionally adjusted during fiscal year 2025 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2025. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2025 and fiscal year 2025 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2025 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2025, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2025.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (r) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(r) (1) On July 1, 2024, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget that shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2025, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2025 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2025, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2025.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (q) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

(s) On July 1, 2024, for fiscal year 2025, the secretary of administration is hereby authorized to receive gifts, grants, bequests or donations of money for the benefit of cedar crest: *Provided*, That such gifts, grants, bequests or donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the friends of cedar crest endowment fund.

(t) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025 by this or other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2025, to review authorization for friends of cedar crest association to enter into an agreement with a local community not-for-profit foundation and to receive, administer and invest any moneys donated, bequeathed, granted, awarded or contributed from any private or public source, including the moneys in the friends of cedar crest endowment fund, outside the state treasury for the general benefit of cedar crest: *Provided*, That consideration shall be made for interest earned thereon, to be deposited, administered and disbursed by such local community foundation to the friends of cedar crest association for the general benefit of cedar crest: *Provided further*, That on or before January 13, 2025, the above agency shall submit a report to the house of representatives committee on

appropriations and the senate committee on ways and means on the agency's findings.

(u) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025 by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2025 to direct the governor's residence advisory commission to hire a local design consultant to review the cedar crest property and review proposals to expand the governor's residence to provide disability access and other enhancements recommended by such local design consultant: *Provided*, That the first vice president of the friends of cedar crest association shall be a member of the governor's residence advisory commission for this purpose: *Provided further*, That expenditures for such hiring of a local design consultant and the development of the governor's residence expansion plans shall not exceed \$200,000: *And provided further*, That the governor's residence advisory commission shall submit a report on the progress of such expansion plans to the joint committee on state building construction, the house of representatives committee on appropriations and the senate committee on ways and means before February 1, 2025.

Sec. 57.

OFFICE OF INFORMATION
TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Rehabilitation and repair (335-00-1000-0050).....\$4,250,000

Provided, That any unencumbered balance in the rehabilitation and repair account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas information security office (335-00-1000-0060).....\$7,252,809

Provided, That any unencumbered balance in the Kansas information security office account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Vendor contract (335-00-1000-0070).....\$2,500,000

Provided, That any unencumbered balance in the vendor contract account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund (335-00-6110-4030).....No limit

Provided, That expenditures from the information technology fund for official hospitality shall not exceed \$1,000: *Provided further*, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology

reserve fund (335-00-6147-4080).....No limit

Public safety broadband

services fund (335-00-2125-2125).....No limit

GIS contracting services fund (335-00-2163-2163).....	No limit
GIS contracting services fund (335-00-6009-6009).....	No limit
State and local implementation grant – federal fund (335-00-3576-3576).....	No limit
Coronavirus relief fund (335-00-3753-3772).....	No limit
American rescue plan state relief fund (335-00-3756-3536).....	No limit

Sec. 58.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund (178-00-2582).....	No limit
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Provided, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$50.
Sec. 59.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (562-00-1000-0103).....	\$255,007
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

American rescue plan – state fiscal relief – federal fund (562-00-3756).....	No limit
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Sec. 60.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (562-00-1000-0103).....	\$1,197,834
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund (562-00-2219-2200).....	No limit
BOTA filing fee fund (562-00-2240-2240).....	\$1,034,144
American rescue plan – state fiscal relief – federal fund (562-00-3756).....	No limit

Sec. 61.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2024, the following:

Operating expenditures (565-00-1000-0303).....\$127,935

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

American rescue plan – state fiscal

relief – federal fund (565-00-3756).....No limit

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 73(b) of chapter 82 of the 2023 Session Laws of Kansas on the division of vehicles operating fund (565-00-2089-2020) of the department of revenue is hereby increased from \$51,998,988 to \$53,729,692.

Sec. 62.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (565-00-1000-0303).....\$16,769,283

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2025 is hereby reappropriated for fiscal year 2025: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund (565-00-2087-2010).....No limit

Division of vehicles

operating fund (565-00-2089-2020).....\$54,483,242

Provided, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund:

Provided further, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund (540-00-9204-9000) of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2025: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers

fee fund (565-00-2189-2030).....No limit

Kansas qualified agricultural ethyl alcohol

producer incentive fund (565-00-2215).....No limit

Division of vehicles

modernization fund (565-00-2390-2390).....No limit

Kansas retail dealer

incentive fund (565-00-2387-2380).....No limit

Conversion of materials and

equipment fund (565-00-2417-2050).....	No limit
Forfeited property fee fund (565-00-2428-2200).....	No limit
Setoff services revenue fund (565-00-2617-2080).....	No limit
Publications fee fund (565-00-2663-2090).....	No limit
Child support enforcement contractual agreement fund (565-00-2683-2110).....	No limit
County treasurers' vehicle licensing fee fund (565-00-2687-2120).....	No limit
Tax amnesty recovery fund (565-00-2462-2462).....	No limit
Reappraisal reimbursement fund (565-00-2693-2130).....	No limit
<i>Provided, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: Provided further, That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the state board of tax appeals under K.S.A. 79-1479, and amendments thereto.</i>	
Special training fund (565-00-2016-2000).....	No limit
<i>Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: Provided further, That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: And provided further, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: And provided further, That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.</i>	
Recovery fund for enforcement actions and attorney fees (565-00-2021-2060).....	No limit
Commercial vehicle information systems/network federal fund (565-00-3244-3244).....	No limit
Highway planning construction federal fund (565-00-3333-3333).....	No limit
State and community highway safety fund (565-00-3815-3815).....	No limit
Microfilming fund (565-00-2281-2270).....	No limit
<i>Provided, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: Provided further, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.</i>	
Miscellaneous trust bonds fund (565-00-7556-5180).....	No limit
Liquor excise tax guarantee bond fund (565-00-7604-5190).....	No limit

Non-resident contractors cash	
bond fund (565-00-7605-5200).....	No limit
Bond guaranty fund (565-00-7606-5210).....	No limit
Interstate motor fuel user cash	
bond fund (565-00-7616-5220).....	No limit
Motor fuel distributor cash	
bond fund (565-00-7617-5230).....	No limit
Special county mineral production	
tax fund (565-00-7668-5280).....	No limit
County drug tax fund (565-00-7680-5310).....	No limit
Escheat proceeds	
suspense fund (565-00-7753-5290).....	No limit
Privilege tax refund fund (565-00-9031-9300).....	No limit
Suspense fund (565-00-9032-9310).....	No limit
Cigarette tax refund fund (565-00-9033-9330).....	No limit
Motor-vehicle fuel tax	
refund fund (565-00-9035-9350).....	No limit
Cereal malt beverage tax	
refund fund (565-00-9036-9360).....	No limit
Income tax refund fund (565-00-9038-9370).....	No limit
Sales tax refund fund (565-00-9039-9380).....	No limit
Compensating tax	
refund fund (565-00-9040-9390).....	No limit
Alcoholic liquor tax	
refund fund (565-00-9041-9400).....	No limit
Cigarette/tobacco products	
regulation fund (565-00-2294-2190).....	No limit
Motor carrier tax	
refund fund (565-00-9042-9410).....	No limit
Car company tax fund (565-00-9043-9420).....	No limit
Protested motor carrier	
taxes fund (565-00-9044-9430).....	No limit
Tobacco products	
refund fund (565-00-9045-9440).....	No limit
Transient guest tax refund fund (established by	
K.S.A. 12-1694a) (565-00-9066-9450).....	No limit
Interstate motor fuel taxes	
clearing fund (565-00-9070-9710).....	No limit
Motor carrier permits escrow	
clearing fund (565-00-7581-5400).....	No limit
Transient guest tax refund fund (established by	
K.S.A. 12-16,100) (565-00-9074-9480).....	No limit
Interstate motor fuel taxes	
refund fund (565-00-9069-9010).....	No limit
Interfund clearing fund (565-00-9096-9510).....	No limit
Local alcoholic liquor	
clearing fund (565-00-9100-9700).....	No limit

International registration plan distribution clearing fund (565-00-9103-9520).....	No limit
Rental motor vehicle excise tax refund fund (565-00-9106-9730).....	No limit
International fuel tax agreement clearing fund (565-00-9072-9015).....	No limit
Mineral production tax refund fund (565-00-9121-9540).....	No limit
Special fuels tax refund fund (565-00-9122-9550).....	No limit
LP-gas motor fuels refund fund (565-00-9123-9560).....	No limit
Local alcoholic liquor refund fund (565-00-9124-9570).....	No limit
Sales tax clearing fund (565-00-9148-9580).....	No limit
Rental motor vehicle excise tax clearing fund (565-00-9187-9640).....	No limit
VIPS/CAMA technology hardware fund (565-00-2244-2170).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.</i>	
County and city retailers sales tax clearing fund – county and city sales tax (565-00-9190-9610).....	No limit
City and county compensating use tax clearing fund (565-00-9191-9620).....	No limit
County and city transient guest tax clearing fund (565-00-9192-9630).....	No limit
Automated tax systems fund (565-00-2265-2265).....	No limit
Dyed diesel fuel fee fund (565-00-2286-2280).....	No limit
Electronic databases fee fund (565-00-2287-2180).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or any other statute, expenditures may be made from the electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.</i>	
Photo fee fund (565-00-2084-2140).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and</i>	

identification cards.

Estate tax abatement
 refund fund (565-00-9082-9501).....No limit

Distinctive license plate fund (565-00-2232-2230).....No limit

Repossessed certificates of title
 fee fund (565-00-2015-2070).....No limit

Hazmat fee fund (565-00-2365-2300).....No limit

Intra-governmental
 service fund (565-00-6132-6101).....No limit

Community improvement district sales tax
 administration fund (565-00-7675-5300).....No limit

Community improvement district sales tax
 refund fund (565-00-9049-9455).....No limit

Community improvement district sales tax
 clearing fund (565-00-9189-9655).....No limit

Drivers license first responders indicator
 federal fund (565-00-3179-3179).....No limit

Enforcing underage drinking
 federal fund (565-00-3219-3219).....No limit

FDA tobacco program
 federal fund (565-00-3330-3330).....No limit

Commercial vehicle administrative
 system fund (565-00-2098-2098).....No limit

State charitable gaming
 regulation fund (565-00-2381-2385).....No limit

Charitable gaming
 refund fund (565-00-9001-9001).....No limit

Commercial driver's license drive test
 fee fund (565-00-2816-2816).....No limit

MSA compliance fund (565-00-2274-2274).....No limit

Alcoholic beverage control
 modernization fund (565-00-2299-2299).....No limit

Native American veterans' income
 tax refund fund (565-00-9019-9019).....No limit

Fleet rental vehicle
 administration fund (565-00-2799-2799).....No limit

Fleet rental vehicle clearing fund (565-00-9089-9089).....No limit

Taxpayer notification costs fund (565-00-2852-2852).....No limit

Kansas historic site fund (565-00-2872-2872).....No limit

Gage park improvement authority
 sales tax fund (565-00-2874-2874).....No limit

Commercial driver
 education fund (565-00-2876-2876).....No limit

American rescue plan – state fiscal
 relief – federal fund (565-00-3756).....No limit

(c) On July 1, 2024, October 1, 2024, January 1, 2025, and April 1, 2025, the director of accounts and reports shall transfer \$13,307,946 from the state highway fund

(276-00-4100-4100) of the department of transportation to the division of vehicles operating fund (565-00-2089-2020) of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2024, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund (173-00-6105-4010) of the department of administration to the setoff services revenue fund (565-00-2617-2080) of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the division of vehicles modernization fund (565-00-2390-2390) of the department of revenue.

(f) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,200,000 from the Kansas endowment for youth fund (365-00-7000-2000) to the MSA compliance fund (565-00-2274-2274) of the department of revenue.

Sec. 63.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 75(b) of chapter 82 of the 2023 Session Laws of Kansas to be transferred from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) during the fiscal year ending June 30, 2024, is hereby increased from \$69,990,000 to \$72,490,000.

Sec. 64.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund (450-00-7381).....	No limit
Lottery operating fund (450-00-5123).....	No limit
<i>Provided</i> , That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.	
Expanded lottery receipts fund (450-00-5128).....	No limit
Lottery gaming facility manager fund (450-00-5129-5150).....	No limit
Expanded lottery act	
revenues fund (450-00-5127-5120).....	\$0
Sports wagering receipts fund (450-00-2946-2946).....	No limit
Privilege fee repayment fund (450-00-2947-2947).....	No limit

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection: (1) An amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2024; and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2024, and on or before the

15th of each month thereafter through June 15, 2025: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) and shall credit such amount to the state gaming revenues fund (173-00-9011-9100) for the fiscal year ending June 30, 2025: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2025 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through June 15, 2025, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2025 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2025 is equal to or more than \$71,490,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2025 pursuant to this subsection shall be equal to or more than \$71,490,000: *And provided further*, That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*, That the transfers prescribed in this subsection shall include the total profit attributed to the special veterans benefit game under K.S.A. 74-8724, and amendments thereto: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under K.S.A. 74-8711(d), and amendments thereto, for fiscal year 2025.

(c) In addition to the purposes for which expenditures of moneys in the lottery operating fund (450-00-5123-5100) may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, in fiscal year 2025, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act and the Kansas expanded lottery act.

(d) Notwithstanding the provisions of K.S.A. 74-8724, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2025, the director of accounts and reports shall transfer from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2025: *Provided*, That, the transfer to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office for the fiscal year ending June 30, 2025, authorized by section 75(g) represents the total profits derived from the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto: *Provided further*, That on or before August 1, 2025, the executive director of the lottery shall report the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2025 to the director of the budget and the director of legislative research.

(e) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 74-8720, and amendments thereto, or any other statute, in addition to the other

purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2025 as authorized by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by such agency from such moneys to provide the name and address of all persons who claim a Kansas lottery prize of \$10,000 or more to the office of inspector general established under K.S.A. 75-7427, and amendments thereto: *Provided*, That the office of inspector general shall use information received pursuant to this subsection solely for the purposes of carrying out the powers, duties and functions prescribed by K.S.A. 75-7427, and amendments thereto: *Provided further*, That the office of inspector general shall not publicly disclose the identity of any lottery prize winner, including recipients for whom such prize affects such recipient's eligibility for or receipt of medical assistance.

Sec. 65.

KANSAS RACING AND GAMING COMMISSION

(a) Expenditures for the fiscal year ending June 30, 2024, from the state racing fund (553-00-5131-5000) of the Kansas racing and gaming commission for official hospitality shall not exceed \$1,000.

Sec. 66.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund (553-00-5131-5000).....No limit

Provided, That expenditures from the state racing fund for official hospitality shall not exceed \$1,000.

Racing reimbursable

expense fund (553-00-2616-2600).....No limit

Racing applicant

deposit fund (553-00-7383-7000).....No limit

Kansas horse breeding

development fund (553-00-2516-2300).....No limit

Kansas greyhound breeding

development fund (553-00-2601-2500).....No limit

Provided, That, notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to K.S.A. 74-8767(b), and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds that win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*, That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with K.S.A. 74-8767(b), and amendments thereto.

Racing investigative

expense fund (553-00-2570-2400).....No limit

Horse fair racing

benefit fund (553-00-2296-3000).....No limit
 Tribal gaming fund (553-00-2320-3700).....No limit
Provided, That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,000.

Expanded lottery regulation fund (553-00-2535).....No limit
Provided, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

Live horse racing purse
 supplement fund (553-00-2546-2800).....No limit

Live greyhound racing purse
 supplement fund (553-00-2557-2900).....No limit

Greyhound promotion and
 development fund (553-00-2561-3100).....No limit

Gaming background
 investigation fund (553-00-2682-2680).....No limit

Gaming machine
 examination fund (553-00-2998-2990).....No limit

Education and training fund (553-00-2459-2450).....No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling
 enforcement fund (553-00-2734-2690).....No limit

Provided, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*, That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*, That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2024, the director of accounts and reports shall transfer \$450,000

from the state general fund to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2025, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2025 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission during fiscal year 2025 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2025, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with K.S.A. 75-5516(b), and amendments thereto, pursuant to bills that are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund (553-00-2320-3700) for fiscal year 2025 for the Kansas racing and gaming commission by this or other appropriation act of the 2025 regular session of the legislature, expenditures, which are hereby authorized, may be made from the tribal gaming fund for fiscal year 2025 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund (553-00-2601-2500) of the Kansas racing and gaming commission to the greyhound tourism fund of the department of commerce that is directed to be made on or before June 30, 2025, by K.S.A. 74-8831(b) (1), and amendments thereto, and shall transfer on or before June 30, 2025, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2025, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund (553-00-2561-3100) of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2025, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise

recovered from a parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee or projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund (553-00-5131-5000).

Sec. 67.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

Travel and tourism operating expenditures (300-00-1900-1901).....\$50,000
 Advantage Kansas (300-00-1000-0350).....\$811

(b) On the effective date of this act, the \$2,950,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 77(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the airport authority payment account, is hereby lapsed.

Sec. 68.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Maintenance, repair and overhaul of airplanes.....\$36,000,000

Provided, That all expenditures from such account for maintenance, repair and overhaul of airplanes at the airport in Salina, Kansas, shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis: *Provided further*, That expenditures shall be made from such account in an amount of not to exceed \$1,000,000 for maintenance, repair and overhaul of airplanes at Topeka, Kansas: *Provided, however*, That such expenditures at Topeka shall not require a match of local nonstate or private moneys.

Advantage Kansas (300-00-1000).....\$131,238

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the advantage Kansas account is hereby reappropriated for fiscal year 2025.

Moderate income housing (300-00-1000).....\$10,000,000

Swope health project (300-00-1000).....\$4,500,000

Provided, That all expenditures from the Swope health project account shall require a \$1-for-\$1 match of unobligated nonstate moneys.

Micro-internship expansion (300-00-1000).....\$500,000

Provided, That expenditures shall be made from the micro-internship expansion account for department of commerce to work with the state board of regents to connect students with Kansas employers to showcase the types of opportunities available in the state and establish connections between students and Kansas businesses through micro-internship opportunities.

Youth career exploration.....\$500,000
 Housing and workforce development (300-00-1000).....\$2,000,000
 Home-based child care providers

 pilot project.....\$500,000

Provided, That expenditures shall be made by the above agency from such account to implement a pilot program for the recruitment and retention of home-based child care providers to increase the number of child care slots in Kansas: *Provided further*, That the above agency shall issue a request for proposal to solicit potential private entities to implement such pilot program: *And provided further*, That any such private entity making a proposal shall agree to: (1) Partner with the above agency, families in need of child care and home-based child care providers to increase the number of child care slots in Kansas by: (A) Recruiting and coaching prospective home-based child care providers through the initial business plan and implementation process; and (B) assisting existing home-based child care providers with business planning and implementation to retain and expand child care slots; (2) develop and execute a mentorship program for such home-based child care providers; (3) plan, staff and execute in-person and virtual recruitment events for new home-based child care providers in locations in the state in need of child care slots; (4) develop informational materials that assist home-based child care providers with marketing, advertising and parental outreach; (5) provide a software platform, including customizable dashboards, to assist home-based child care providers with marketing, enrollment, family communication, billing and expense reporting; and (6) make available to home-based child care providers coaching and training, including in-person group training sessions, on-site coaching visits, community forums and events: *And provided further*, That the above agency shall require any private entity making a proposal to provide evidence that such entity is providing a similar service in at least three other states: *And provided further*, That as used in this section, "home-based child care provider" means an individual who has control or custody of one or more children under 16 years of age, unattended by a parent or guardian, for the purpose of providing food or lodging, or both.

Industrial park project.....\$2,500,000

Provided, That expenditures shall be made by the above agency from the industrial park project account for a grant for construction of an industrial park access road, curbing, guttering, storm sewer, utilities, water line, fire hydrant settings and a sanitary sewer, including a lift station, in a city in Kansas with a population greater than 6,000 and less than 6,500 as of the 2020 census located in a county with a population greater than 18,000 and less than 18,500 as of the 2020 census: *Provided further*, That such industrial park project will create 50 jobs within three years: *And provided further*, That all moneys in the industrial park project account expended for fiscal year 2025 shall be matched by nonstate moneys on a 30% basis: *Provided, however*, That if the secretary of commerce determines that such city has received funding from the federal government for such industrial park project pursuant to the infrastructure investment and jobs act, public law 117-58, the secretary of commerce shall certify to the director of the budget that such federal funding has been approved and on the date of such certification, the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2025, by this section from the state general fund in the industrial park project account, is hereby lapsed: *And provided further*, That at the same time as the

secretary of commerce transmits certification to the director of the budget, the secretary shall transmit a copy of such certification to the director of legislative research.

Statewide marketing campaign for high demand and high wage career fields.....\$2,500,000

Provided, That expenditures shall be made by the above agency from statewide marketing campaign for high demand and high wage career fields account for a contract with Level Up Kansas, a Kansas nonprofit, for the purpose of providing a statewide marketing campaign to underskilled adult learners about training opportunities available at Kansas postsecondary educational institutions in high demand and high wage career fields.

Historic venue renovation.....\$1,000,000

Provided, That expenditures shall be made by the above agency from the historic venue renovation account to provide funding to a nonprofit organization for renovation of a historic opera house in a Kansas county with a population greater than 70,000 and less than 80,000 as of the 2020 census for construction, Americans with disability act access, elevators and security costs: *Provided further*, That all expenditures from such account shall require a match of nonstate or private moneys on the basis of \$2 of nonstate or private moneys to \$1 of state moneys: *And provided further*, That for the fiscal year ending June 30, 2025, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the historic venue renovation, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *And provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2025 to be used for such historic venue renovation, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$1,000,000 as available from such funds to the special revenue fund of the above agency and as designated by the secretary of commerce for the purpose of funding such historic venue renovation: *And provided further*, That on the effective date of such transfer, of the \$1,000,000 appropriated for the above agency for the fiscal year ending June 30, 2025, by this section from the state general fund in the historic renovation account, the aggregate amount transferred is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: Kansas semiquincentennial commission support account; advantage Kansas account; housing revolving loan program account; APEX account; and statewide marketing campaign for high demand and high wage career fields account.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2025, the following:

Main street program (300-00-1900-1175).....\$849,502

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the main street program account is hereby reappropriated for fiscal year 2025.

Older Kansans

employment program (300-00-1900-1140).....\$504,697

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the older Kansans employment program account is hereby reappropriated for fiscal year 2025.

Rural opportunity

zones program (300-00-1900-1150).....\$1,037,748

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2025.

Senior community service

employment program (300-00-1900-1160).....\$8,379

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the senior community service employment program account is hereby reappropriated for fiscal year 2025.

Strong military

bases program (300-00-1900-1170).....\$205,864

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the strong military bases program account is hereby reappropriated for fiscal year 2025.

Governor's council of

economic advisors (300-00-1900-1185).....\$204,584

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2025.

Creative arts industries

commission (300-00-1900-1188).....\$1,521,173

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the creative arts industries commission account is hereby reappropriated for fiscal year 2025.

Operating grant (including

official hospitality) (300-00-1900-1110).....\$9,450,975

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

Public broadcasting grants (300-00-1900-1190).....\$700,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the public broadcasting grants account is hereby reappropriated for fiscal year 2025.

Build up Kansas (300-00-1900-1230).....	\$2,625,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the build up Kansas account is hereby reappropriated for fiscal year 2025.</i>	
Community development (300-00-1900-1240).....	\$670,837
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the community development account is hereby reappropriated for fiscal year 2025.</i>	
International trade (300-00-1900-1250).....	\$1,424,397
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the international trade account is hereby reappropriated for fiscal year 2025.</i>	
Travel and tourism	
operating expenditures (300-00-1900-1901).....	\$4,879,053
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the travel and tourism operating expenditures account is hereby reappropriated for fiscal year 2025: Provided further, That expenditures from this account for official hospitality shall not exceed \$4,000.</i>	
Reemployment implementation (300-00-1900-1260).....	\$99,219
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the reemployment implementation account is hereby reappropriated for fiscal year 2025.</i>	
KIT/KIR programs (300-00-1900-1280).....	\$2,000,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the KIT/KIR programs account is hereby reappropriated for fiscal year 2025.</i>	
Registered apprenticeship (300-00-1900-1290).....	\$1,011,573
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the registered apprenticeship account is hereby reappropriated for fiscal year 2025.</i>	
Office of broadband development (300-00-1900-1270).....	\$1,041,266
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the office of broadband development account is hereby reappropriated for fiscal year 2025.</i>	
Small business R&D grants (300-00-1900-1300).....	\$1,000,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the small business R&D grants account is hereby reappropriated for fiscal year 2025.</i>	
Work-based learning (300-00-1900-1310).....	\$714,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the work-based learning account is hereby reappropriated for fiscal year 2025.</i>	
Kansas workforce marketing (300-00-1900-1340).....	\$2,000,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the Kansas workforce marketing account is hereby reappropriated for fiscal year 2025.</i>	
HEAL grants (300-00-1900-1350).....	\$1,500,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the heal grants account is hereby reappropriated for fiscal year 2025.</i>	
Emergency HEAL grants (300-00-1900-1360).....	\$500,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the emergency heal grants account is hereby reappropriated for fiscal year 2025.</i>	
Rural champions (300-00-1900-1320).....	\$150,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the rural champions account is hereby reappropriated for fiscal year 2025.</i>	

Any unencumbered balance in the sunflower summer program account (300-00-1900-1330) in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund (300-00-2467-2467).....	No limit
Kan-grow engineering fund – KU (300-00-2494-2494).....	\$3,500,000
Kan-grow engineering fund – KSU (300-00-2494-2495).....	\$3,500,000
Kan-grow engineering fund – WSU (300-00-2494-2496).....	\$3,500,000
Kansas creative arts industries commission special gifts fund (300-00-7004-7004).....	No limit
Governor's council of economic advisers private operations fund (300-00-2761-2701).....	No limit
Publication and other sales fund (300-00-2048).....	No limit
Conversion of equipment and materials fund (300-00-2411-2220).....	No limit
Conference registration and disbursement fund (300-00-2049).....	No limit
Reimbursement and recovery fund (300-00-2275).....	No limit
Community development block grant – federal fund (300-00-3669).....	No limit
National main street center fund (300-00-7325-7000).....	No limit
IMPACT program services fund (300-00-2176).....	No limit
IMPACT program repayment fund (300-00-7388).....	No limit
Kansas partnership fund (300-00-7525-7020).....	No limit
Publication and other sales fund (300-00-2399-2399).....	No limit

Provided, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2025, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2025: *And provided further*; That the secretary of commerce shall report all such expenditures to the governor and legislature as appropriate.

General fees fund (300-00-2310).....No limit

Provided, That expenditures may be made from the general fees fund for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the

department.	
Athletic fee fund (300-00-2599-2500).....	No limit
WIOA adult – federal fund (300-00-3270).....	No limit
WIOA youth activities –	
federal fund (300-00-3039).....	No limit
WIOA dislocated workers –	
federal fund (300-00-3428).....	No limit
Trade adjustment assistance –	
federal fund (300-00-3273).....	No limit
Disabled veterans outreach program –	
federal fund (300-00-3274-3242).....	No limit
Local veterans employment representative program –	
federal fund (300-00-3274-3240).....	No limit
Wagner Peyser employment services –	
federal fund (300-00-3275).....	No limit
Senior community service employment program –	
federal fund (300-00-3100-3510).....	No limit
Indirect cost – federal fund (300-00-2340-2300).....	No limit
Temporary labor certification foreign workers –	
federal fund (300-00-3448).....	No limit
Work opportunity tax credit –	
federal fund (300-00-3447-3447).....	No limit
American job link alliance –	
federal fund (300-00-3100-3516).....	No limit
American job link alliance job corps –	
federal fund (300-00-3100-3512).....	No limit
Child care/development block grant –	
federal fund (300-00-3028-3028).....	No limit
Enterprise facilitation fund (300-00-2378-2710).....	No limit
Unemployment insurance –	
federal fund (300-00-3335).....	No limit
State small business credit initiative –	
federal fund (300-00-3567).....	No limit
Creative arts industries commission	
gifts, grants and bequests –	
federal fund (300-00-3210-3218).....	No limit
Kansas creative arts industries commission	
checkoff fund (300-00-2031-2031).....	No limit
Workforce data quality initiative –	
federal fund (300-00-3237-3237).....	No limit
AJLA special revenue fund (300-00-2190-2190).....	No limit
RETAIN extension –	
federal fund (300-00-3770).....	No limit
Coronavirus relief fund –	
federal fund (300-00-3753).....	No limit
Workforce innovation –	
federal fund (300-00-3581).....	No limit

Reemployment connections initiative – federal fund (300-00-3585).....	No limit
SBA STEP grant – federal fund (300-00-3573-3573).....	No limit
Apprenticeship USA state – federal fund (300-00-3949).....	No limit
Kansas health profession opportunity project – federal fund (300-00-3951).....	No limit
Second chance grant – federal fund (300-00-3895).....	No limit
H-1B technical skills training grant – federal fund (300-00-3400).....	No limit
State broadband data development grant – federal fund (300-00-3782-3700).....	No limit
Transition assistance program grant – federal fund (300-00-3451-3451).....	No limit
Technology-enabled fiduciary financial institutions development and expansion fund (300-00-2839).....	No limit
Economic adjustment assistance fund (300-00-3415).....	No limit
Pathway home 2 – federal fund (300-00-3734).....	No limit
Kansas commission for the United States semiquincentennial gifts and donations fund (300-00-7019).....	No limit
Attracting professional sports to Kansas fund (300-00-2942).....	No limit
<i>Provided, That notwithstanding the provisions of K.S.A. 74-8793, and amendments thereto, or any other statute to the contrary, expenditures shall be made from the attracting professional sports to Kansas fund in an amount of \$150,000 to provide support for hosting the U.S. adaptive open golf championship.</i>	
Attracting powerful economic expansion payroll incentive fund (300-00-2943).....	No limit
Attracting powerful economic expansion new employee training and educaton fund (300-00-2944).....	No limit
Attracting powerful economic expansion Kansas residency incentive fund (300-00-2945).....	No limit
ARPA capital projects-broadband infrastructure – federal fund (300-00-3761).....	No limit
ARPA capital projects-digital technology connectivity – federal fund (300-00-3761).....	No limit
Broadband equity access and deployment program fund (300-00-3928-3928).....	No limit
State digital equity planning grant program fund (300-00-3927-2927).....	No limit
Broadband technical assistance fund.....	No limit
Middle mile broadband grant fund.....	No limit

- American rescue plan state relief – federal fund (300-00-3756).....No limit
- Kansas nonprofit apprenticeship grant program fund (300-00-2873).....No limit
- Kansas educator registered apprenticeship grant program fund (300-00-2856).....No limit
- Engineering graduate incentive fund (300-00-2930).....No limit
- World cup ARPA fund (300-00-3756).....No limit

Provided, That the above agency shall make expenditures from the world cup ARPA fund during fiscal year 2025 to require the FIFA world cup 26 Kansas City committee to provide a detailed accounting report of all expenditures of the moneys in such account to the legislature on or before January 13, 2025.

- Northwest Kansas housing economic development fund.....No limit

Provided, That expenditures shall be made by the above agency from such fund for the following economic development projects in the following amounts: Atwood south 7th street project, \$750,000; Sharon Springs infrastructure improvement project, \$1,000,000; Dane G. Hansen foundation housing cooperative project, \$4,000,000; and Russell maple and main residential development project, \$1,500,000.

- Northwest Kansas retail economic development ARPA fund (300-00-3756)No limit

Provided, That expenditures shall be made by the above agency from such fund for the following economic development projects in the following amounts: Colby STAR bond access road project, \$4,736,125; Colby drive-thru access project, \$427,325; Hays development project, \$4,447,000.

- Existing horse racing facility remodel fund.....No limit

Provided, That all expenditures from the existing horse racing facility remodel fund shall be made by the above agency for a grant to remodel an existing horse racing facility in a Kansas county with a population between 6,000 and 6,100 as of the 2020 census.

- Kansas sports hall of fame support fund.....No limit
- Kansas air service development incentive program fund.....No limit

Provided, That all expenditures from the Kansas air service development incentive program fund shall be to support commercial service airports in Kansas: *Provided further*, That the department of commerce shall establish requirements for the program, taking into consideration: (1) Recent or imminent regional economic development opportunities, including, but not limited to, new business entering the market area or business growth in the market area; (2) viable air service opportunities, including, but not limited to, airline support service or market data support service; (3) air service routes serving a market area that meets the needs of such economic development opportunities, including, but not limited to, routes establishing a pipeline to areas with workforce talent or serving a customer base or main business function; and (4) local match requirements, including, but not limited to, opportunities to use state or local moneys to leverage federal air service development grant funds: *And provided further*; That local entities representing commercial service airports may apply for grants from such fund: *And provided further*; That the department of commerce shall form a selection committee to evaluate such applications: *And provided further*; That not more than \$1,000,000 shall be awarded for a single commercial service airport: *And provided*

further, That all grant moneys awarded to a local entity shall be deposited in an interest-bearing escrow account: *And provided further*, That, when awarded a grant, such local entity shall execute a minimum revenue guarantee (MRG) agreement with an airline: *And provided further*, That such MRG agreement shall describe the thresholds that trigger drawdowns of grant moneys: *And provided further*, That the department of commerce shall verify all expenses before authorizing any drawdown of grant moneys from such escrow account.

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2025, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue fund or funds of the department of commerce for fiscal year 2025, in accordance with the provisions of this or other appropriation act of the 2025 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2025 for the department of commerce as authorized by this or other appropriation act of the 2025 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2025 for official hospitality.

(f) During the fiscal year ending June 30, 2025, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2025, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2025 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2024, or as soon thereafter as moneys are available, the director of

accounts and reports shall transfer \$7,750,000 from the state general fund to the state economic development initiatives fund (300-00-1900-1100).

(h) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 12-17,169, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 as authorized by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made from such moneys for the secretary of commerce to approve a city or county to finance a rural redevelopment project, as defined in K.S.A. 12-17,162, and amendments thereto, without the issuance of special obligation bonds up to an amount of not to exceed \$25,000,000 for each such project: *Provided*, That such rural redevelopment project costs shall be made payable, both as to principal and interest, from any source as provided in K.S.A. 12-17,169(a)(1)(A) through (I), and amendments thereto.

(i) (1) During the fiscal year ending June 30, 2025, notwithstanding the provisions of the STAR bonds financing act, K.S.A. 12-17,160 through 12-17,180, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 as authorized by this or any other appropriation act of the 2025 regular session of the legislature, expenditures may be made from such moneys for the secretary of commerce to approve a STAR bond project for a major amusement park or historic theater: *Provided*, That such approval shall be upon adoption of a STAR bond project plan and establishment of a STAR bond project district by a city or county for such major amusement park project or historic theater in accordance with K.S.A. 12-17,164 through 12-17,166, and amendments thereto: *Provided further*, That such major amusement park project or historic theater shall be eligible for financing by special obligation bonds payable from revenues described by K.S.A. 12-17,169(a)(1), and amendments thereto: *And provided further*, That such city or county is authorized to issue such special obligation bonds in one or more series to finance the undertaking of such major amusement park project or historic theater in accordance with the provisions of the STAR bonds financing act: *And provided further*, That the secretary shall review the STAR bond project plan and determine whether to approve such plan in accordance with K.S.A. 12-17,167, and amendments thereto: *And provided further*, That any special obligation bonds issued to finance the major amusement park project or historic theater shall be subject to the provisions of the STAR bonds financing act: *And provided further*, That such major amusement park and historic theater costs shall be considered project costs for the purposes of K.S.A. 12-17,162, and amendments thereto: *And provided further*, That a major amusement park area shall be considered an eligible area for purposes of K.S.A. 12-17,162, and amendments thereto: *And provided further*, That all such property included in, added to or removed from the STAR bond project district established pursuant to this subsection shall be subject to the provisions of the STAR bonds financing act: *And provided further*, That if such major amusement park project or historic theater uses state sales tax financing pursuant to K.S.A. 12-17,169, and amendments thereto, such project shall be subject to the requirements of K.S.A. 12-17,176, and amendments thereto: *And provided further*, That in the event that the city or county shall default in the payment of any STAR bonds payable from revenues

described in K.S.A. 12-17,169(a)(1), and amendments thereto, no public funds shall be used to pay the holders thereof except as specifically authorized by the STAR bonds financing act: *And provided further*, That copies of all retailers' sales, use and transient guest tax returns filed with the secretary of revenue in connection with such major amusement park project shall be subject to the provisions of K.S.A. 12-17,174, and amendments thereto.

(2) For purposes of this subsection:

(A) "Amusement rides" means the same as defined in K.S.A. 44-1601, and amendments thereto, and includes such amusement rides and further include buildings necessary to house and operate such amusement park rides, buildings immediately adjacent and attached to such amusement park rides and a building necessary to house a conference center within the major amusement park area.

(B) "Major amusement park" means a project with amusement rides and related attractions and upon which the secretary has made a finding that capital improvements of not less than \$100,000,000 will be built in the state to construct the major amusement park.

(C) "Major amusement park area" means an area containing a major amusement park.

(j) (1) During the fiscal year ending June 30, 2026, notwithstanding the provisions of the STAR bonds financing act, K.S.A. 12-17,160 through 12-17,180, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2026 as authorized by this or any other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures may be made from such moneys for the secretary of commerce to approve a STAR bond project for a major amusement park or historic theater: *Provided*, That such approval shall be upon adoption of a STAR bond project plan and establishment of a STAR bond project district by a city or county for such major amusement park project or historic theater in accordance with K.S.A. 12-17,164 through 12-17,166, and amendments thereto: *Provided further*, That such major amusement park project or historic theater shall be eligible for financing by special obligation bonds payable from revenues described by K.S.A. 12-17,169(a)(1), and amendments thereto: *And provided further*, That such city or county is authorized to issue such special obligation bonds in one or more series to finance the undertaking of such major amusement park project or historic theater in accordance with the provisions of the STAR bonds financing act: *And provided further*, That the secretary shall review the STAR bond project plan and determine whether to approve such plan in accordance with K.S.A. 12-17,167, and amendments thereto: *And provided further*, That any special obligation bonds issued to finance the major amusement park project or historic theater shall be subject to the provisions of the STAR bonds financing act: *And provided further*, That such major amusement park and historic theater costs shall be considered project costs for the purposes of K.S.A. 12-17,162, and amendments thereto: *And provided further*, That a major amusement park area shall be considered an eligible area for purposes of K.S.A. 12-17,162, and amendments thereto: *And provided further*, That all such property included in, added to or removed from the STAR bond project district established pursuant to this subsection shall be subject to the provisions of the STAR bonds financing act: *And provided further*, That if such major amusement park project

or historic theater uses state sales tax financing pursuant to K.S.A. 12-17,169, and amendments thereto, such project shall be subject to the requirements of K.S.A. 12-17,176, and amendments thereto: *And provided further*, That in the event that the city or county shall default in the payment of any STAR bonds payable from revenues described in K.S.A. 12-17,169(a)(1), and amendments thereto, no public funds shall be used to pay the holders thereof except as specifically authorized by the STAR bonds financing act: *And provided further*, That copies of all retailers' sales, use and transient guest tax returns filed with the secretary of revenue in connection with such major amusement park project shall be subject to the provisions of K.S.A. 12-17,174, and amendments thereto.

(2) For purposes of this subsection: (A) "Amusement rides" means the same as defined in K.S.A. 44-1601, and amendments thereto, and includes such amusement rides and further include buildings necessary to house and operate such amusement park ride. (B) "Major amusement park" means a project with amusement rides and related attractions and upon which the secretary has made a finding that capital improvements of not less than \$100,000,000 will be built in the state to construct the major amusement park. (C) "Major amusement park area" means an area containing a major amusement park.

(k) On July 1, 2024, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2023 Supp. 74-8793, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,000,000 from the attracting professional sports to Kansas fund (300-00-2942) of the department of commerce to the existing horse racing facility remodel fund of the department of commerce: *Provided, however*, That if 2023 House Bill No. 2434, or any other legislation that credits tax revenue generated from wagers made on historical horse races to the horse breeding development fund and the horse fair racing benefit fund is not passed by the legislature during the 2024 regular session and enacted into law, then: (1) The director of accounts and reports shall not transfer \$2,000,000 from the attracting professional sports to Kansas fund of the department of commerce to the existing horse racing facility remodel fund of the department of commerce, pursuant to this subsection; and (2) on July 1, 2024, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect.

(l) On July 1, 2024, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2023 Supp. 74-8793, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$200,000 from the attracting professional sports to Kansas fund (300-00-2942) of the department of commerce to the Kansas sports hall of fame support fund of the department of commerce: *Provided*, That the department of commerce and the Kansas sports hall of fame shall submit a progress report to the senate committee on ways and means and the house of representatives committee on appropriations on or before January 31, 2025.

(m) On July 1, 2024, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the Kansas air service development incentive program fund of the department of commerce.

(n) During the fiscal year ending June 30, 2025, notwithstanding the provisions of articles 36, 37, 41 or 41a of chapter 79 of the Kansas Statutes Annotated, and

amendments thereto, the STAR bonds financing act, K.S.A. 12-17,161 through 12-17,180, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made from such moneys for the above agency for fiscal year 2025 for the secretary of commerce, in consultation with the department of revenue and the Kansas development finance authority, to establish a university STAR bonds program subject to the provisions of this subsection: *Provided*, That such university STAR bonds program shall be for any state educational institution as defined in K.S.A. 76-711, and amendments thereto, that has obtained approval for a university STAR bonds project and district from: (1) The president or chancellor of the state educational institution or the state board of regents; and (2) the secretary of commerce: *Provided further*, That any such university STAR bonds project shall be located on land either owned directly by such state educational institution or indirectly by an affiliated organization of such state educational institution: *And provided further*, That such land does not have to be contiguous to such state educational institution: *And provided further*, That for purposes of this subsection, "affiliated organization" means any alumni association, endowment, foundation, related school or enterprise, medical school or innovation campus of a state educational institution: *And provided further*, That such university STAR bonds project may be located in a newly created district or in an existing STAR bonds district: *Provided, however*, That, if such university STAR bonds project is located in an existing STAR bonds district any bonds issued pursuant to this subsection shall be subordinate to any existing bonds previously issued: *And provided further*, That the Kansas development finance authority is hereby authorized to issue bonds in accordance with K.S.A. 74-8905(b), and amendments thereto, for the purpose of paying the costs of construction of or improvements to any land, parking facility, infrastructure or building that is part of such university STAR bonds project: *And provided further*, That any bonds issued pursuant to this subsection may pay for any or all amounts of the overall project costs and shall not be limited to payment of only a certain percentage of total project costs for such university STAR bonds project: *And provided further*, That, unless currently pledged for another purpose, all costs for such bonds issued pursuant to this subsection shall be made payable, both as to principal and interest, from: (1) All state sales, use and liquor tax revenue generated from sales within such university STAR bonds district; and (2) all state sales and use tax revenue from the sale of any machinery, equipment or vehicles sold within the state and subsequently leased to others: *And provided further*, That any bonds issued pursuant to this subsection shall not exceed 30 years in maturity: *And provided further*, That any bonds issued pursuant to this subsection shall not be subject to any requirements for a minimum capital investment or new minimum gross sales requirement: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That all university STAR bonds projects approved

pursuant to this subsection shall commence construction for such project not later than December 31, 2025.

(o) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$10,000,000 from the American rescue plan state relief fund (422-00-3756-3502) of the legislative coordinating council, formerly designated as the legislature employment security fund of the legislative coordinating council, to the world cup ARPA fund (300-00-3756).

(p) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$7,250,000, identified as moneys for the rural housing revolving loan program, as authorized by section 28 of chapter 81 of the 2022 Session Laws of Kansas, from the state housing trust fund (175-00-7370-7000) of the Kansas housing resources corporation to the northwest Kansas housing economic development fund.

(q) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$9,610,450 from the American rescue plan state relief fund (422-00-3756-3502) of the legislative coordinating council, formerly designated as the legislature employment security fund of the legislative coordinating council, to the Northwest Kansas retail economic development ARPA fund (300-00-3756).

Sec. 69.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2026, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas sports hall of fame support fund.....No limit
World cup ARPA fund (300-00-3756).....No limit

(b) On July 1, 2025, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2023 Supp. 74-8793, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$200,000 from the attracting professional sports to Kansas fund (300-00-2942) of the department of commerce to the Kansas sports hall of fame support fund of the department of commerce.

(c) During the fiscal year ending June 30, 2026, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any special revenue fund or funds, including any interest earned on any ARPA fund (3756), eligible to be used for the world cup ARPA fund and are unencumbered: *Provided*, That the director of the budget, in consultation with the above agency, determines that moneys from such special revenue fund or funds during fiscal year 2026 may be used by such world cup ARPA fund, the director of the budget shall certify the amount of such special revenue fund moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$18,000,000 from such funds to the world cup ARPA fund: *Provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *And provided further*, That the above agency shall make expenditures from the world cup fund during fiscal year 2026 to

require the FIFA world cup 26 Kansas City committee to provide a detailed accounting report of all expenditures of the moneys in such account to the legislature on or before January 12, 2026: *And provided further*; That such report shall include an accounting of all expenditures with an economic and fiscal impact report.

(d) During the fiscal year ending June 30, 2026, notwithstanding the provisions of articles 36, 37, 41 or 41a of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, the STAR bonds financing act, K.S.A. 12-17,161 through 12-17,180, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2026, as authorized by this or other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures shall be made from such moneys for the above agency for fiscal year 2026 for the secretary of commerce, in consultation with the department of revenue and the Kansas development finance authority, to establish a university STAR bonds program subject to the provisions of this subsection: *Provided*, That such university STAR bonds program shall be for any state educational institution as defined in K.S.A. 76-711, and amendments thereto, that has obtained approval for a university STAR bonds project and district from: (1) The president or chancellor of the state educational institution or the state board of regents; and (2) the secretary of commerce: *Provided further*; That any such university STAR bonds project shall be located on land either owned directly by such state educational institution or indirectly by an affiliated organization of such state educational institution: *And provided further*; That such land does not have to be contiguous to such state educational institution: *And provided further*; That for purposes of this subsection, "affiliated organization" means any alumni association, endowment, foundation, related school or enterprise, medical school or innovation campus of a state educational institution: *And provided further*; That such university STAR bonds project may be located in a newly created district or in an existing STAR bonds district: *Provided, however*; That, if such university STAR bonds project is located in an existing STAR bonds district any bonds issued pursuant to this subsection shall be subordinate to any existing bonds previously issued: *And provided further*; That the Kansas development finance authority is hereby authorized to issue bonds in accordance with K.S.A. 74-8905(b), and amendments thereto, for the purpose of paying the costs of construction of or improvements to any land, parking facility, infrastructure or building that is part of such university STAR bonds project: *And provided further*; That any bonds issued pursuant to this subsection may pay for any or all amounts of the overall project costs and shall not be limited to payment of only a certain percentage of total project costs for such university STAR bonds project: *And provided further*; That, unless currently pledged for another purpose, all costs for such bonds issued pursuant to this subsection shall be made payable, both as to principal and interest, from: (1) All state sales, use and liquor tax revenue generated from sales within such university STAR bonds district; and (2) all state sales and use tax revenue from the sale of any machinery, equipment or vehicles sold within the state and subsequently leased to others: *And provided further*; That any bonds issued pursuant to this subsection shall not exceed 30 years in maturity: *And provided further*; That any bonds issued pursuant to this subsection shall not be subject to any requirements for a minimum capital investment or new minimum gross sales requirement: *And provided further*; That all moneys received from the issuance of any such bonds shall be

deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*; That all university STAR bonds projects approved pursuant to this subsection shall commence construction for such project not later than December 31, 2025: *And provided further*; That no university STAR bonds projects shall be approved after December 31, 2025.

Sec. 70.

KANSAS HOUSING RESOURCES CORPORATION

(a) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in the state housing trust fund (175-00-7370-7000) for fiscal year 2024 as authorized by K.S.A. 74-8959, and amendments thereto, by section 79 of chapter 82 of the 2023 Session Laws of Kansas, this or any other appropriation act of the 2024 regular session of the legislature, expenditures may be made by the above agency from such fund and identified as moneys for the rural housing revolving loan program, as authorized by section 28 of chapter 81 of the 2022 Session Laws of Kansas, or identified as moneys for the housing revolving loan program, as authorized by section 77 of chapter 82 of the 2023 Session Laws of Kansas, during fiscal year 2024 for loans to a local government, political subdivision of the state, not-for-profit organizations focused on housing development, for-profit or not-for-profit builder or developer for moderate and low-income housing development, including infrastructure necessary to support such development: *Provided*, That at least 50% of such expenditures shall be used in rural communities: *Provided further*; That, notwithstanding the provisions of any statute to the contrary, a local government or political subdivision of the state is hereby authorized to enter into loan agreements under this program: *And provided further*; That the provisions and restrictions of the cash basis and budget laws of this state shall not apply to any loan received by a local government or political subdivision under this program.

Sec. 71.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund (175-00-7370-7000).....No limit

Provided, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of the Kansas housing resources corporation as authorized by K.S.A. 74-8959, and amendments thereto, and this section: *Provided further*; That of the moneys appropriated in the state housing trust fund and identified as moneys for the rural housing revolving loan program, as authorized by section 28 of chapter 81 of the 2022 Session Laws of Kansas, or identified as moneys for the housing revolving loan program, as authorized by section 77 of chapter 82 of the 2023 Session Laws of Kansas, expenditures may be made by the above agency from such identified moneys in such fund for fiscal year 2025 for loans to a local unit of government, political subdivision of

the state, not-for-profit organizations focused on housing development, for-profit or not-for-profit builder or developer for moderate and low-income housing development, including infrastructure necessary to support such development: *And provided further*; That at least 50% of such expenditures shall be used in rural communities: *And provided further*; That, notwithstanding the provisions of any statute to the contrary, a local government or political subdivision of the state is hereby authorized to enter into loan agreements under this program: *And provided further*; That the provisions and restrictions of the cash basis and budget laws of this state shall not apply to any loan received by a local government or political subdivision under this program: *And provided further*; That notwithstanding the provisions of any statute, the interest rate for a loan to any not-for-profit organization focused on housing development shall be equal to the average interest rate of certificates of deposit in Kansas financial institutions in June 2024, as determined by the state treasurer.

Sec. 72.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (296-00-1000-0503).....	\$53,291
Amusement ride safety (296-00-1000-0513).....	\$1,784

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 81(b) of chapter 82 of the 2023 Session Laws of Kansas on the workmen's compensation fee fund (296-00-2124) of the Kansas department of labor is hereby increased from \$12,321,935 to \$13,003,257.

(c) On the effective date of this act, the expenditure limitation for capital improvement purposes established for the fiscal year ending June 30, 2024, by section 149(d) of chapter 82 of the 2023 Session Laws of Kansas on the workmen's compensation fee fund (296-00-2124-2228) of the department of labor is hereby increased from \$530,000 to \$556,086.

Sec. 73.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (296-00-1000-0503).....	\$4,085,256
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2025, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-2218 et seq. and 75-4321 et seq., and amendments thereto: *And provided further*; That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$5,000.

Amusement ride safety (296-00-1000-0513).....	\$278,077
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Provided, That any unencumbered balance in the amusement ride safety account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Unemployment insurance modernization (296-00-1000-0520).....	\$5,000,000
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Provided, That any unencumbered balance in the unemployment insurance modernization account in excess of \$100 as of June 30, 2024, is hereby reappropriated

for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation	
fee fund (296-00-2124).....	\$13,158,378
Occupational health and safety –	
federal fund (296-00-3339-3210).....	No limit
Employment security interest	
assessment fund (296-00-2771-2700).....	No limit
Special employment	
security fund (296-00-2120-2000).....	No limit
Employment security	
administration fund (296-00-3335).....	No limit
<i>Provided</i> , That in addition to the other purposes for which expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2025 as authorized by this or other appropriation act of the 2025 regular session of the legislature, expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2025 from moneys made available to the state under section 903 of the federal social security act for the purpose of unemployment insurance modernization: <i>Provided further</i> , That expenditures from such fund for fiscal year 2025 of moneys made available to the state under section 903 of the federal social security act for such unemployment insurance modernization purposes shall not exceed \$4,821,302: <i>And provided further</i> , That all expenditures from the employment security administration fund for any such unemployment insurance modernization purposes shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 2025.	
Wage claims assignment	
fee fund (296-00-2204-2240).....	No limit
Department of labor special	
projects fund (296-00-2041-2105).....	No limit
Federal indirect cost	
offset fund (296-00-2302-2280).....	No limit
<i>Provided</i> , That, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any other statute during fiscal year 2025, the secretary of labor, with the approval of the director of the budget, may transfer from the special employment security fund of the department of labor to the department of labor federal indirect cost offset fund the portion of such amount that is determined necessary to be in compliance with the employment security law: <i>Provided further</i> , That, upon approval of any such transfer by the director of the budget, notification shall be provided to the director of legislative research department.	
Employment security fund (296-00-7056-7200).....	No limit
Labor force statistics	
federal fund (296-00-3742-3742).....	No limit
Compensation and working conditions	
federal fund (296-00-3743-3743).....	No limit

Employment services Wagner-Peyser funded activities federal fund (296-00-3275-3275).....	No limit
Dispute resolution fund (296-00-2587-2270).....	No limit
<i>Provided, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-2232, and amendments thereto, and for fact-finding under K.S.A. 72-2233, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: Provided further, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-2232, and amendments thereto, and for fact-finding under K.S.A. 72-2233, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.</i>	
Indirect cost fund (296-00-2781-2781).....	No limit
Workforce data quality initiative – federal fund (296-00-3237-3237).....	No limit
Employment security fund clearing account (296-00-7055-7100).....	No limit
Employment security fund benefit account (296-00-7054-7000).....	No limit
Employment security fund – special suspense account (296-00-7057-7300).....	No limit
Employment security fund trust account (296-00-7056-7200).....	No limit
Special wage payment clearing trust fund (296-00-7362-7500).....	No limit
Economic adjustment assistance – federal fund (296-00-3415-3415).....	No limit
Social security administration disability – federal fund (296-00-3309-3309).....	No limit
Amusement ride safety fund (296-00-2224-2250).....	No limit
KDOL off-budget fund (296-00-6112-6100).....	No limit
SNAP employment and training pilot – federal fund (296-00-3321-3350).....	No limit
Anti-human trafficking – federal fund (296-00-3644-3644).....	No limit
Coronavirus relief fund (296-00-3753).....	No limit
American rescue plan state relief fund (296-00-3756-3536).....	No limit

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures – administration (694-00-1000-0103).....	\$10,055
Operating expenditures – veteran services (694-00-1000-0203).....	\$19,264

Operations – state
 veterans cemeteries (694-00-1000-0703).....\$4,115
 Operating expenditures – Kansas
 soldiers' home (694-00-1000-0403).....\$91,715
 Operating expenditures – Kansas
 veterans' home (694-00-1000-0503).....\$235,115
 Veterans claim assistance program –
 service grants (694-00-1000-0903).....\$150,000

(b) During the fiscal year ending June 30, 2024, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2024, from the state institutions building fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2024 from the state institutions building fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 75.

KANSAS COMMISSION ON
 VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures –
 administration (694-00-1000-0103).....\$1,394,420

Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Operating expenditures –
 veteran services (694-00-1000-0203).....\$1,711,600

Provided, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,500.

Operations – state
 veterans cemeteries (694-00-1000-0703).....\$936,465

Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operating expenditures – Kansas
 soldiers' home (694-00-1000-0403).....\$4,498,946

Provided, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Operating expenditures – Kansas
 veterans' home (694-00-1000-0503).....\$4,928,519
Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Veterans claim assistance program –
 service grants (694-00-1000-0903).....\$1,000,000

Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*, That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund (694-00-2241-2100).....	No limit
Soldiers' home medicare fund (694-00-3168-3100).....	No limit
Soldiers' home medicaid fund (694-00-2464-2464).....	No limit
Veterans' home medicare fund (694-00-3893-3893).....	No limit
Veterans' home medicaid fund (694-00-2469-2469).....	No limit
Veterans' home fee fund (694-00-2236-2200).....	No limit
State veterans cemeteries fee fund (694-00-2332-2600).....	No limit
State veterans cemeteries donations and contributions fund (694-00-7308-5200).....	No limit
VA burial reimbursement fund – federal (694-00-3212-3310).....	No limit
Federal domiciliary per diem fund (694-00-3220).....	No limit
Federal long term care per diem fund (694-00-3232).....	No limit
Commission on veterans affairs federal fund (694-00-3241).....	No limit
American rescue plan state relief fund (694-00-3756-3536).....	No limit
Vietnam war era veterans' recognition award fund (694-00-7017-7000).....	No limit
Kansas hometown	

heroes fund (694-00-7003-7001).....	No limit
Construction state home	
facilities fund (694-00-3018-3000).....	No limit
State cemetery grants fund (694-00-3048).....	No limit
Kansas soldier home construction	
grant fund (694-00-3075).....	No limit
Coronavirus relief fund (694-00-3753).....	No limit
CARES provider relief fund (694-00-3754).....	No limit
Veterans benefit lottery	
game fund (694-00-2303).....	No limit

Provided, That expenditures from the veterans benefit lottery game fund shall be in an amount equal to 50% for operating expenditures and capital improvements of the above agency, or for the use and benefit of the Kansas veterans' home, the Kansas soldiers' home and the state veterans cemetery system; and 50% for the veterans enhanced service delivery program.

(c) (1) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 73-1231, 73-1233, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection, "special revenue fund" means the soldiers' home fee fund (694-00-2241-2100), veterans' home fee fund (694-00-2236-2200), soldiers' home outpatient clinic fund (694-00-2258-2300), soldiers' home benefit fund (694-00-7903-5400), soldiers' home work therapy fund (694-00-7951-5600), veterans' home canteen fund (694-00-7809-5300), veterans' home benefit fund (694-00-7904-5500), Persian Gulf War veterans health initiative fund (694-00-2304-2500), state veterans cemeteries fee fund (694-00-2332-2600), state veterans cemeteries donations and contributions fund (694-00-7308-5200) and Kansas veterans memorials fund (694-00-7332-5210).

(d) During the fiscal year ending June 30, 2025, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2025, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2025 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2025, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30,

2025, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund (694-00-7017-7000). The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2025, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2025, from the state institutions building fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2025 from the state institutions building fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,260,000 from the lottery operating fund (450-00-5123-5100) of the Kansas lottery to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office.

Sec. 76.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (264-00-1000-0202).....	\$21,429
Operating expenditures (including official hospitality) – health (264-00-1000-0270).....	\$2,339,167
Laboratory move (264-00-1000).....	\$6,234,800
Lab equipment replacement (264-00-1000-0800).....	\$410,000

Sec. 77.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including official hospitality) (264-00-1000-0202).....	\$5,940,415
Operating expenditures (including official hospitality) – health (264-00-1000-0270).....	\$10,229,581

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Vaccine purchases (264-00-1000-0900).....\$329,607

Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Aid to local units (264-00-1000-0350).....\$8,249,202

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That, except as provided in subsection (k), all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary

health projects (264-00-1000-0460).....\$18,750,690

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchasing drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs: *And provided further*; That funded clinics shall be not-for-profit or publicly funded primary care clinics or dental clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care or dental services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay and have a unique patient panel that, at a minimum, represents the income-based disparities of the community: *And provided further*; That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted: *And provided further*; That of the moneys appropriated in the aid to local units – primary health projects account, not less than \$20,750,690 shall be distributed for community-based primary care grants and services provided by the community care network of Kansas.

Infant and toddler program (264-00-1000-0570).....\$9,500,000

Provided, That any unencumbered balance in the infant and toddler program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That during the fiscal year ending June 30, 2025, expenditures shall be made by the above agency from the infant and toddler program account in the amount of \$7,500,000 for the purposes of aid to local units and other assistance: *And provided further*; That such moneys shall not be expended for administrative costs incurred by the above agency: *And provided further*; That expenditures of at least \$1,500,000 shall be made from such account to provide early childhood vision services for children served by the Kansas state school for the blind.

Aid to local units –

women's wellness (264-00-1000-0610).....\$444,296

Provided, That any unencumbered balance in the aid to local units – women's wellness account in excess of \$100 as of June 30, 2024, is hereby reappropriated for

fiscal year 2025: *Provided further*, That all expenditures from the aid to local units – women’s wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs (264-00-1000-1400).....\$397,418

Provided, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Breast cancer

screening program (264-00-1000-1300).....\$1,219,336

Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Pregnancy maintenance

initiative (264-00-1000-1100).....\$677,692

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Cerebral palsy

posture seating (264-00-1000-1500).....\$303,537

Provided, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures may be made by the above agency from the cerebral palsy posture seating account for posture seating for adults.

PKU treatment (264-00-1000-1710).....\$199,274

Provided, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Teen pregnancy

prevention activities (264-00-1000-0650).....\$338,846

Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

State trauma fund (264-00-1000-1720).....\$300,000

Provided, That any unencumbered balance in the state trauma fund account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Lyme disease prevention and research (264-00-1000-0670).....\$140,000

Provided, That any unencumbered balance in the lyme disease prevention and research account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Child abuse review

and evaluation (264-00-1000-1550).....\$875,970

Provided, That any unencumbered balance in the child abuse review and evaluation account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures shall be made from the child abuse review and evaluation program account to train healthcare providers to recognize signs of child abuse and reimburse reviews and examinations conducted by such trained healthcare providers: *And provided further*, That on or before January 13, 2025, the above agency shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on services provided and the location of

services provided by the program.

Tobacco cessation program (264-00-1000-0680).....\$938,756

Provided, That any unencumbered balance in the tobacco cessation program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Lab equipment replacement (264-00-1000-0800).....\$280,000

Provided, That any unencumbered balance in the lab equipment replacement account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Laboratory (264-00-1000).....\$5,422,273

Provided, That, during the fiscal year ending June 30, 2025, expenditures shall be made by the above agency from the laboratory account in the amount of \$2,500,000 for the purposes of environmentally at-risk testing related to contamination sites in Sedgwick county, including, but not limited to, comprehensive metabolic panels, complete blood count with differential tests, routine comprehensive urinalysis with microscopic examinations and alpha fetoprotein tests: *Provided further*, That of such \$2,500,000 provided from such account for environmentally at-risk testing in Sedgwick county, \$1,000,000 of such expenditures for such purpose shall require a local match of nonstate moneys on a \$1-for-\$1 basis.

Laboratory move (264-00-1000).....\$3,039,000

Provided, That any unencumbered balance in the laboratory move account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Adult inpatient behavioral health services.....\$5,000,000

Provided, That expenditures shall be made from the adult inpatient behavioral health services account for providing adult inpatient behavioral health services at AdventHealth Shawnee Mission, ascension Via Christi St. Joseph campus, Hutchinson regional medical center, Salina regional health center, Stormont Vail regional medical center and the university of Kansas health system and such expenditures shall be distributed based on the number of adult behavioral health beds available at each facility.

Specialty health care access programs (264-00-1000-1450).....\$550,000

Rural hospital bridge funding (264-00-1000).....\$2,000,000

Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, are hereby reappropriated for fiscal year 2025: KDHE lab (264-00-1000-8750), childcare pilot (264-00-1000-0580), specialty health care access programs (264-00-1000-1450).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Disease control and prevention investigations

and technical assistance –

federal fund (264-00-3150).....No limit

Health and environment training

fee fund – health (264-00-2183-2160).....No limit

Provided, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment,

for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2025, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2025 for agency operations for the division of public health.

Health facilities review fund (264-00-2505-2250).....	No limit
Insurance statistical	
plan fund (264-00-2243-2840).....	No limit
Health and environment publication	
fee fund – health (264-00-2541-2190).....	No limit
<i>Provided</i> , That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.	
District coroners fund (264-00-2653-2320).....	No limit
Sponsored project overhead	
fund – health (264-00-2912-2710).....	No limit
Conversion of materials and equipment	
fund – health (264-00-2410-2240).....	No limit
Tuberculosis elimination and laboratory –	
federal fund (264-00-3559-3559).....	No limit
Maternity centers and child care facilities licensing	
fee fund (264-00-2731-2731).....	No limit
Child care and development block grant –	
federal fund (264-00-3028-3450).....	No limit
Federal supplemental funding for tobacco prevention	
and control – federal fund (264-00-3574-3574).....	No limit
Coordinated chronic disease prevention	
and health promotion program –	
federal fund (264-00-3575-3575).....	No limit
Office of rural health –	
federal fund (264-00-3031-3640).....	No limit
Emergency medical services for children –	
federal fund (264-00-3292-3292).....	No limit
Primary care offices –	
federal fund (264-00-3293-3293).....	No limit
Injury intervention –	

federal fund (264-00-3294-3294).....	No limit
Oral health workforce activities –	
federal fund (264-00-3297-3297).....	No limit
Rural hospital flex program –	
federal fund (264-00-3298-3298).....	No limit
Hospital bioterrorism preparedness –	
federal fund (264-00-3398-3398).....	No limit
Kansas coalition against sexual and domestic violence –	
federal fund (264-00-3907-3907).....	No limit
ARRA collaborative component I –	
federal fund (264-00-3890-3891).....	No limit
ARRA collaborative component III –	
federal fund (264-00-3890-3892).....	No limit
ARRA ambulatory surgical center ASC/HAI medicare –	
federal fund (264-00-3486-3486).....	No limit
Medicare – federal fund (264-00-3064-3062).....	No limit
<i>Provided, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2025 pursuant to a contract, which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.</i>	
Migrant health program –	
federal fund (264-00-3069-3070).....	No limit
Tuberculosis prevention –	
federal fund (264-00-3071-4610).....	No limit
Strengthen public health immunization infrastructure –	
federal fund (264-00-3568-3568).....	No limit
Healthy homes and lead poisoning prevention –	
federal fund (264-00-3572-3572).....	No limit
Children's mercy hospital lead program –	
federal fund (264-00-3152-3154).....	No limit
Women, infants and children health program –	
federal fund (264-00-3077-3103).....	No limit
Immunization and vaccines for children grants –	
federal fund (264-00-3747-3741).....	No limit
Home visiting grant –	
federal fund (264-00-3503-3503).....	No limit
Preventive health block grant –	
federal fund (264-00-3614-3200).....	No limit
Maternal and child health block grant –	
federal fund (264-00-3616-3210).....	No limit
National center for health statistics –	
federal fund (264-00-3617-3220).....	No limit
Title X family planning services program –	
federal fund (264-00-3622-3271).....	No limit
Comprehensive STD prevention systems –	
federal fund (264-00-3070-3080).....	No limit
Make a difference information network –	

federal fund (264-00-3234-3234).....	No limit
Ryan White title II –	
federal fund (264-00-3328-3310).....	No limit
Bicycle helmet distribution –	
federal fund (264-00-3815-3815).....	No limit
Bicycle helmet revolving fund (264-00-2575-2630).....	No limit
SSA fee fund (264-00-2269-2030).....	No limit
Childhood lead poisoning prevention program –	
federal fund (264-00-3296-3296).....	No limit
State implementation projects for prevention	
of secondary conditions –	
federal fund (264-00-3087-4405).....	No limit
Title IV-E – federal fund (264-00-3326-3900).....	No limit
HIV prevention projects –	
federal fund (264-00-3740-3521).....	No limit
HIV/AIDS surveillance –	
federal fund (264-00-3399-3399).....	No limit
Infants & toddlers Prt C –	
federal fund (264-00-3516-3171).....	No limit
Universal newborn hearing screening –	
federal fund (264-00-3459-3459).....	No limit
State loan repayment program –	
federal fund (264-00-3760-3755).....	No limit
Opt-out testing initiative –	
federal fund (264-00-3801-3801).....	No limit
Adult lead surveillance data –	
federal fund (264-00-3496-3496).....	No limit
Medical reserve corps contract –	
federal fund (264-00-3502-3502).....	No limit
Trauma fund (264-00-2513-2230).....	No limit
<i>Provided</i> , That expenditures may be made by the department of health and environment for fiscal year 2025 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: <i>Provided further</i> ; That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.	
Homeland security –	
federal fund (264-00-3329-3319).....	No limit
Refugee assistance –	
federal fund (264-00-3378-3345).....	No limit
Personal responsibility education program –	
federal fund (264-00-3494-3494).....	No limit
Kansas vital records for quality improvement –	
federal fund (264-00-3098-3098).....	No limit
Kansas early detection works breast & cervical cancer screening services –	
federal fund (264-00-3099-3099).....	No limit
Kansas public health approaches for	

ensuring quitline capacity – federal fund (264-00-3097-3097).....	No limit
Diagnostic x-ray program – federal fund (264-00-3511-3160).....	No limit
HRSA small hospital improvement grant program – federal fund (264-00-3371-3371)	No limit
State indoor radon grant – federal fund (264-00-3884-3930).....	No limit
Gifts, grants and donations fund – health (264-00-7311-7090).....	No limit
Special bequest fund – health (264-00-7366-7050).....	No limit
Civil registration and health statistics fee fund (264-00-2291-2295).....	No limit
Power generating facility fee fund (264-00-2131-2130).....	No limit
Nuclear safety emergency preparedness special revenue fund (264-00-2415-2280).....	No limit
<i>Provided</i> , That all moneys received by the department of health and environment – division of public health from the nuclear safety emergency management fee fund (034- 00-2081-2200) of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of public health; <i>Provided further</i> , That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$2,500.	
Radiation control operations fee fund (264-00-2531-2530).....	No limit
<i>Provided</i> , That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.	
Strengthening public health infrastructure – federal fund (264-00-3547-3547).....	No limit
Improving minority health – federal fund (264-00-3548-3548).....	No limit
Abstinence education – federal fund (264-00-3549-3549).....	No limit
Affordable care act – federal fund (264-00-3546-3546).....	No limit
Carbon monoxide detector/fire injury prevention – federal fund (264-00-3508-3508).....	No limit
Health information exchange – federal fund (264-00-3493-3493).....	No limit
Kansas newborn screening fund (264-00-2027-2027).....	No limit
Actions to prevent and control diabetes, heart disease, and obesity – federal fund (264-00-3749-3742).....	No limit
Healthy start initiative – federal fund (264-00-3751-3751).....	No limit
Immunization capacity building assistance –	

federal fund (264-00-3744-3744).....	No limit
Hospital preparedness and response program for Ebola –	
federal fund (264-00-3033-3033).....	No limit
CDC multipurpose grant	
federal fund (264-00-3243-3243).....	No limit
Kansas newborn screening information system	
maintenance and enhancement	
federal fund (264-00-3612-3612).....	No limit
Lifting young families toward excellence	
federal fund (264-00-3627-3627).....	No limit
Cancer registry federal fund (264-00-3008-3040).....	No limit
Hospital preparedness Ebola –	
federal fund (264-00-3093-3093).....	No limit
Kansas survivor care quality initiative –	
federal fund (264-00-3101-3610).....	No limit
Zika birth defects surveillance & referral –	
federal fund (264-00-3102-3620).....	No limit
IDEA infant toddler-part C-ARRA –	
federal fund (264-00-3282-3282).....	No limit
SAMHSA project launch intv. –	
federal fund (264-00-3284-3284).....	No limit
Immunization grant –	
federal fund (264-00-3372-3150).....	No limit
Small hospital improvement program –	
federal fund (264-00-3392-3392).....	No limit
Cardiovascular health program –	
federal fund (264-00-3401-3407).....	No limit
Kansas senior farmers market nutrition program –	
federal fund (264-00-3406-3406).....	No limit
Lead poisoning preventive health –	
federal fund (264-00-3626-4132).....	No limit
ARRA – WIC grants to states –	
federal fund (264-00-3750-3750).....	No limit
Census of trauma occp fatal. –	
federal fund (264-00-3797-3670).....	No limit
Homeland security grant-KHP –	
federal fund (264-00-3199-3199).....	No limit
Refugee health – federal fund (264-00-3393-3393).....	No limit
ARRA – migrant –	
federal fund (264-00-3396-3396).....	No limit
ARRA – transfer from SRS –	
federal fund (264-00-3471-3471).....	No limit
Public health crisis response –	
federal fund (264-00-3602-3602).....	No limit
Diabetes & heart disease &	
stroke prevention programs –	
federal fund (264-00-3603-3603).....	No limit

Innovative state & local public health strategies to prevent & manage diabetes and heart disease and stroke – federal fund (264-00-3604-3604).....	No limit
Kansas actions to improve oral health outcomes – federal fund (264-00-3921-3921).....	No limit
ARRA – survey, licensure and epidemiology – federal fund (264-00-3746-3746).....	No limit
Campus sexual assault prevention grant – federal fund (264-00-3035-3035).....	No limit
Alzheimer's association inclusion – federal fund (264-00-3607-3607).....	No limit
ESSA preschool development grants birth through five – federal fund (264-00-3608-3608).....	No limit
Preventing maternal deaths – federal fund (264-00-3896-3896).....	No limit
Right-to-know fee fund (264-00-2325-2325).....	No limit
Child care criminal background and fingerprint fund (264-00-2313-2313).....	No limit
Kansas tobacco control program – federal fund (264-00-3598-3598).....	No limit
Colorectal cancer screening – federal fund (264-00-3599-3599).....	No limit
Arthritis evidence based interventions – federal fund (264-00-3755-3756).....	No limit
Coronavirus relief fund (264-00-3753-3753).....	No limit
Rural hospital innovation grant fund (264-00-2871-2871).....	No limit
American rescue plan state relief fund (264-00-3756-3536).....	No limit
Community health workers for COVID response and resilient communities fund (264-00-3832-3832).....	No limit
Maternal deaths due to violence fund (264-00-3724-3724).....	No limit
SHIP COVID testing and mitigation fund (264-00-3651-3651).....	No limit
Adult viral hepatitis prevention and control fund (264-00-3641-3641).....	No limit
COVID 19 health disparities fund (264-00-3683-3683).....	No limit
Kansas environmental health capacity program fund (264-00-3660-3660).....	No limit
HIV care formula grant federal fund (264-00-3328-3311).....	No limit
Drug endangered children in	

Kansas fund (264-00-3657-3657).....	No limit
Strengthening U.S. public health fund (264-00-3926-3926).....	No limit
Expanding COVID-19 vaccination fund (264-00-3931-3931).....	No limit
Adv. health equity for diabetes fund (264-00-3901-3901).....	No limit
Climate pollution reduction grants fund (264-00-3897-3897).....	No limit
KS CCR state permitting program fund (264-00-3934-3934).....	No limit
Solid waste infrastructure for recycling fund (264-00-3659-3659).....	No limit
WISEWOMAN fund (264-00-3933-3933).....	No limit
Expanding public health workforce fund (264-00-3287-3287).....	No limit
Plant/animal disease and pest control (264-00-3360-3539).....	No limit

(c) On July 1, 2024, and on other occasions during fiscal year 2025, when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment to the sponsored project overhead fund – health (264-00-2912-2715) of the department of health and environment – division of public health.

(d) During the fiscal year ending June 30, 2025, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health that have available moneys to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(e) During the fiscal year ending June 30, 2025, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of public health to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund or funds, excepting expenditures for contractual services.

(f) During the fiscal year ending June 30, 2025, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2025 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2025 from the state general fund for the department of health and

environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the district coroners fund (264-00-2653-2320) for fiscal year 2025, as authorized by this or other appropriation act of the 2025 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the district coroners fund of the department of health and environment – division of public health for fiscal year 2025 pursuant to K.S.A. 22a-242, and amendments thereto.

(h) On July 1, 2024, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund (270-00-7404-2100) of the health care stabilization fund board of governors to the health facilities review fund (264-00-2505-2250) of the department of health and environment – division of public health for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

(i) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2025, the following:

Healthy start (264-00-2000-2105).....\$1,652,876

Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Infants and toddlers program (264-00-2000-2107).....\$5,800,000

Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Smoking prevention (264-00-2000-2109).....\$1,001,960

Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

SIDS network grant (264-00-2000-2115).....\$122,106

Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Child care health and safety grants (264-00-2000).....\$1,300,000

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2025 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may

charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law.

(k) Notwithstanding the provisions of K.S.A. 65-242, and amendments thereto, or any other statute to the contrary, during the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys to distribute to each local health department an amount of not less than \$12,000 upon application therefor in accordance with K.S.A. 65-242, and amendments thereto: *Provided*, That any remaining moneys appropriated for such purpose, if any, after making distributions in accordance with this subsection shall be distributed in accordance with K.S.A. 65-242, and amendments thereto: *Provided, however*; That, if sufficient funds are not available to make a minimum distribution of \$12,000, then the provisions of K.S.A. 65-242, and amendments thereto, shall control.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the moneys that are identified as moneys from the federal government for coronavirus relief aid to the state of Kansas and appropriated in any special revenue fund or funds for fiscal year 2025, as authorized by this or other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from such special revenue fund or funds for fiscal year 2025 to reimburse for testing certified testing laboratories that have entered into an agreement with the above agency and are providing community COVID-19 testing to the general public.

Sec. 78.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) On the effective date of this act, of the \$23,262,331 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 86(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in operating expenditures (264-00-1000-0010), the sum of \$6,625,140 is hereby lapsed.

(b) On the effective date of this act, of the \$700,032,680 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 86(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in other medical assistance (264-00-1000-3026), the sum of \$39,689,787 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 86(b) of chapter 82 of the 2023 Session Laws of Kansas on the medical programs fee fund (264-00-2395-0110) of the department of health and environment – division of health care finance is hereby increased from \$126,123,554 to \$133,223,554.

Sec. 79.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (264-00-1000-0010).....\$25,779,192

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures shall be made from the operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Children's health

insurance program (264-00-1000-0060).....\$51,836,512

Provided, That any unencumbered balance in the children's health insurance program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Other medical assistance (264-00-1000-3026).....\$728,305,486

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight prior to the start of the regular session of the legislature in 2025.

Wichita center for graduate

medical education (264-00-1000-3027).....\$2,950,000

Provided, That any unencumbered balance in the Wichita center for graduate medical education account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Graduated medical education (264-00-1000-3028).....\$1,300,000

Provided, That any unencumbered balance in the graduated medical education account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Special enhanced FMAP (264-00-1000-0449).....\$4,000,000

Provided, That any unencumbered balance in the special enhanced FMAP account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Division of health care finance special

revenue fund (264-00-2360-2350).....No limit

Provided, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$1,000.

Health committee

insurance fund (264-00-2569-2500).....No limit

Health care database

fee fund (264-00-2578-2570).....No limit

Association assistance

plan fund (264-00-2391-2391).....No limit

Medical programs fee fund (264-00-2395-0110).....	\$126,123,554
Medical assistance fee fund (264-00-2185-2185).....	No limit
Other state fees fund (264-00-2440-0100).....	No limit
Health care access	
improvement fund (264-00-2443-2215).....	No limit
MMIS and data analysis fund (264-00-2002-2002).....	No limit
Children's health insurance program	
federal fund (264-00-3424-0540).....	No limit
State planning – health care –	
uninsured fund (264-00-3483-3483).....	No limit
HIV care formula grant	
federal fund (264-00-3328-3311).....	No limit
Medical assistance program	
federal fund (264-00-3414-0440).....	No limit
Quality based community	
assessment fund (264-00-2760-2760).....	No limit
KEES interagency	
transfer fund (264-00-6001-6001).....	No limit
Energy assistance	
block grant (264-00-3305-3305).....	No limit
Temporary assistance for	
needy families (264-00-3323-3530).....	No limit
Title IV-E – adoption	
assistance (264-00-3357-3357).....	No limit
Ryan White title II –	
federal fund (264-00-3328-3310).....	No limit

(c) During the fiscal year ending June 30, 2025, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2025, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys to set the monthly protected income level for purposes of determining the person's client obligation at an amount equal to 300% of federal supplemental security income for any person in Kansas receiving home and community-based services administered under section 1915(c) of the federal social

security act and any person in Kansas receiving services from a program of all-inclusive care for the elderly administered by the Kansas department for aging and disability services.

(e) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys to implement analytical and publicly available reporting that is compliant with the privacy rule of the administrative simplification subtitle of the health insurance portability and accountability act of 1996 (Pub. L. No. 104-191), and any federal regulations adopted thereunder, to measure outcomes and effectiveness of the health homes program known as onecare Kansas and to assist providers with the provisions of the health homes program.

(f) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys to submit to the United States centers for medicare and medicaid services a waiver request to allow for medicaid reimbursement for inpatient psychiatric acute care.

(g) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 38-2001, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency to provide coverage under the state children's health insurance program for children residing in a household that has a gross household income not to exceed 250% of the federal poverty guidelines.

(h) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the fiscal year 2025 by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made from such moneys to work with hospice stakeholders to identify and submit to the centers for medicare and medicaid services any required state plan amendments needed to implement new payment and systems for hospice providers for fiscal year 2025.

(i) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by such agency from such moneys to study the required billing codes and costs of providing remote non-stress tests and ultrasound procedures to pregnant women through the medicaid program: *Provided*, That the results of such study shall be submitted to the senate committee on public health and

welfare and house of representatives committee on health and human services on or before January 13, 2025.

(j) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 65-6208, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025, as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by such agency from such moneys during fiscal year 2025 to submit to the United States centers for medicare and medicaid services an approval request to increase the hospital provider assessment rate to an amount not less than 5% and not greater than 6%, to include hospital inpatient and outpatient net operating revenue in the hospital provider assessment and to base such assessment on each hospital's fiscal year 2022: *Provided*, That the department of health and environment shall cause notice of such approval by the United States centers for medicare and medicaid services to be published in the Kansas register: *And provided further*, That the changes to the hospital provider assessment described in this subsection shall take effect on and after January 1 or July 1 immediately following such publication: *And provided further*, That, after such date, no additional moneys appropriated from the state general fund shall be expended to support rate enhancements under the hospital provider assessment.

Sec. 80.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official
hospitality) (264-00-1000-0300).....\$30,720

(b) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the state water plan project or projects specified as follows:

Small town infrastructure (264-00-1800-1817).....\$0

Sec. 81.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including official
hospitality) (264-00-1000-0300).....\$2,503,371

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Small town infrastructure (264-00-1000).....\$10,000,000

Provided, That any unencumbered balance in the small town infrastructure account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation fee fund (264-00-2233-2220).....No limit

Solid waste management fund (264-00-2271-2075).....No limit

Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2025, for official hospitality: *Provided further*, That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund (264-00-2284-2085).....No limit

Voluntary cleanup fund (264-00-2288-2120).....No limit

Storage tank fee fund (264-00-2293-2090).....No limit

Air quality fee fund (264-00-2020-2830).....No limit

Hazardous waste collection fund (264-00-2099-2010).....No limit

Health and environment training fee fund – environment (264-00-2175-2170).....No limit

Provided, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2025, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2025 for agency operations for the division of environment.

Driving under the influence fund (264-00-2101-2020).....No limit

Waste tire management fund (264-00-2635-2820).....No limit

Health and environment publication fee fund – environment (264-00-2544-2195).....No limit

Provided, That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

Local air quality control authority regulation services fund (264-00-2657-2330).....No limit

Environmental response fund (264-00-2662-2400).....	No limit
Sponsored project overhead	
fund – environment (264-00-2911-2720).....	No limit
Chemical control fee fund (264-00-2212-2360).....	No limit
QuantiFERON TB	
laboratory fund (264-00-2458-2460).....	No limit
Resource conservation and recovery act –	
federal fund (264-00-3586-3190).....	No limit
Water supply – federal fund (264-00-3295-3130).....	No limit
Air quality section 103 –	
federal fund (264-00-3248-3246).....	No limit
EPA – core support –	
federal fund (264-00-3040-3000).....	No limit
Network exchange grant –	
federal fund (264-00-3267-3267).....	No limit
Kansas clean diesel grant –	
federal fund (264-00-3249-3250).....	No limit
Air quality program –	
federal fund (264-00-3072-3090).....	No limit
Sec. 106 monitoring initiative –	
federal fund (264-00-3619-3240).....	No limit
Air quality section 105 –	
federal fund (264-00-3249-3249).....	No limit
Leaking underground storage tank trust –	
federal fund (264-00-3812-3700).....	No limit
Surface mining control and reclamation act –	
federal fund (264-00-3820-3760).....	No limit
Abandoned mined-land –	
federal fund (264-00-3821-3770).....	No limit
Department of defense and state cooperative	
agreement – federal fund (264-00-3067-3031).....	No limit
EPA non-point source –	
federal fund (264-00-3889-3940).....	No limit
Pollution prevention program –	
federal fund (264-00-3908-3990).....	No limit
EPA water monitoring –	
federal fund (264-00-3086-4200).....	No limit
Gifts, grants and donations	
fund – environment (264-00-7314-7095).....	No limit
Special bequest fund –	
environment (264-00-7367-7040).....	No limit
Aboveground petroleum storage tank release	
trust fund (264-00-7398-7070).....	No limit
Underground petroleum storage tank release	
trust fund (264-00-7399-7060).....	No limit
Drycleaning facility release	
trust fund (264-00-7407-7250).....	No limit

Public water supply loan fund (264-00-7539-7800).....	No limit
Public water supply loan operations fund (264-00-3295-3295).....	No limit
Kansas water pollution control revolving fund (264-00-7530-7400).....	No limit
<i>Provided</i> , That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: <i>Provided further</i> , That expenditures from this fund shall be made to provide for the payment of such matching grants.	
Kansas water pollution control operations fund (264-00-7960-8300).....	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7600).....	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds (264-00-7539-7805).....	No limit
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7620).....	No limit
Subsurface hydrocarbon storage fund (264-00-2228-2380).....	No limit
Natural resources damages trust fund (264-00-7265-7265).....	No limit
Hazardous waste management fund (264-00-2519-2290).....	No limit
Brownfields revolving loan program – federal fund (264-00-3278-3278).....	No limit
Mined-land reclamation fund (264-00-2685-2560).....	No limit
Operator outreach training program – federal fund (264-00-3259-3259).....	No limit
Underground storage tank – federal fund (264-00-3732-3510).....	No limit
EPA underground injection control – federal fund (264-00-3295-3288).....	No limit
Laboratory medicaid cost recovery fund – environment (264-00-2092-2060).....	No limit
EPA state response program – federal fund (264-00-3370-3915).....	No limit
Environmental use control fund (264-00-2292-2310).....	No limit
Environmental response remedial activity specific sites – federal fund (264-00-3040-3003).....	No limit
Emergency environmental response – nonspecific sites federal fund (264-00-3067-3030).....	No limit

Medicare program – environment – federal fund (264-00-3096-3050).....	No limit
EPA pollution prevention – federal fund (264-00-3619-3240).....	No limit
Inspections Kansas infrastructure projects – federal fund (264-00-3910-3950).....	No limit
Salt solution mining well plugging fund (264-00-2247-2390).....	No limit
Water program management fund (264-00-2798-2798).....	No limit
UST redevelopment fund (264-00-7397-7080).....	No limit
<i>Provided, That, in addition to the other purposes authorized by K.S.A. 65-34,132, and amendments thereto, notwithstanding the provisions of K.S.A. 65-34,139(a)(3), and amendments thereto, expenditures shall be made from the UST redevelopment fund for fiscal year 2025 for the purposes of reimbursing eligible owners of underground storage tanks, if, pursuant to K.S.A. 65-34,139, and amendments thereto, the owner replaces all components of a single-wall storage tank system with a secondary containment system that complies with K.S.A. 65-34,138, and amendments thereto, after August 8, 2005.</i>	
Office of laboratory services operating fund (264-00-2161-2161).....	No limit
Risk management fund (264-00-7402-7402).....	No limit
Intoxilyzer replacement – federal fund (264-00-3092-3092).....	No limit
Environmental stewardship fund (264-00-7396-7096).....	No limit
EPA multi-purpose grant – federal fund (264-00-3103-3630).....	No limit
Volkswagen environmental fund (264-00-7269-7269).....	No limit
USDA conservation partnership – federal fund (264-00-3022-3022).....	No limit
Environmental response – federal fund (264-00-3066-3010).....	No limit
Other federal grants – federal fund (264-00-3095-5450).....	No limit
Alcohol impaired driving countermeasures incentive grants – federal fund (264-00-3247-3247).....	No limit
Air quality program – federal fund (264-00-3253-3253).....	No limit
Water related grants – federal fund (264-00-3254-3260).....	No limit
EPA nonpoint source implementation – federal fund (264-00-3915-3915).....	No limit
Water protection state grants – federal fund (264-00-3264-3264).....	No limit
Multi-media capacity building – federal fund (264-00-3277-3277).....	No limit

Health watershed initiative – federal fund (264-00-3558-3558).....	No limit
Small employer cafeteria plan development program (264-00-2386-2382).....	No limit
Environmental response RMDL act – federal fund (264-00-3005-3010).....	No limit
Ticket to work grant – federal fund (264-00-3417-4367).....	No limit
Demo to maintenance-indep. employer – federal fund (264-00-3419-3419).....	No limit
EPA underground injection control – federal fund (264-00-3618-3230).....	No limit
104G outreach training program – federal fund (264-00-3722-3500).....	No limit
Drinking water lead testing in school and child care programs – federal fund (264-00-3670-3601).....	No limit
Brownfields revolving loan program fund (264-00-7526-7103).....	No limit
Certification of environmental liability fund (264-00-7527-7230).....	No limit
P/C safety net clinic loan guarantee fund (264-00-7551-7595).....	No limit
KWPC surcharge services fees (264-00-7961-8400).....	No limit
KPWS revolving fund (264-00-7968-8500).....	No limit
KPWS surcharge service fees (264-00-7969-8600).....	No limit
Asbestos remediation fund (264-00-7342-7342).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 65-5309, and amendments thereto, or any other statute, all fees or other moneys collected by the above agency during fiscal year 2025 related to asbestos remediation, as certified by the secretary of health and environment, shall be credited to the asbestos remediation fund.</i>	
Increasing technical assistance for regenerative agriculture peer mentoring programs fund (264-00-3083-3083).....	No limit
Sewer overflow municipal grants program fund (264-00-3707-3707).....	No limit
American rescue plan state relief fund (264-00-3756-3536).....	No limit
Lead-based paint hazard fee fund (264-00-2289-2140).....	No limit
Gulf of Mexico program fund (264-00-3703-3703).....	No limit
Assistance for small and disadvantaged communities drinking water grant program fund (264-00-3655-3655).....	No limit
Expanding COVID-19	

vaccination fund (264-00-3931-3931).....	No limit
Strengthening U.S. public health fund (264-00-3926-3926).....	No limit
Adv. health equity for diabetes fund (264-00-3901-3901).....	No limit
Climate pollution reduction grants fund (264-00-3897-3897).....	No limit
KS CCR state permitting program fund (264-00-3934-3934).....	No limit
Solid waste infrastructure for recycling fund (264-00-3659-3659).....	No limit
WISEWOMAN fund (264-00-3933-3933).....	No limit
Expanding public health workforce fund (264-00-3287-3287).....	No limit
Plant/animal disease and pest control (264-00-3360-3539).....	No limit
(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2025, for the state water plan project or projects specified as follows:	
Contamination remediation (264-00-1800-1802).....	\$1,105,578
<i>Provided</i> , That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Local environmental protection program (264-00-1800-1803).....	\$250,000
<i>Provided</i> , That any unencumbered balance in the local environmental protection program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
TMDL initiatives and use attainability analysis (264-00-1800-1805).....	\$391,378
<i>Provided</i> , That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Watershed restoration and protection plan (264-00-1800-1808).....	\$1,000,000
<i>Provided</i> , That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Nonpoint source program (264-00-1800-1804).....	\$430,587
<i>Provided</i> , That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Aquifer recharge basin (264-00-1800-1809).....	\$0
Milford and Marion reservoirs harmful algae bloom pilot (264-00-1800-1810).....	\$150,937
<i>Provided</i> , That any unencumbered balance in the Milford and Marion reservoirs harmful algae bloom pilot account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Drinking water protection (264-00-1800-1806).....	\$800,000

Provided, That any unencumbered balance in the drinking water protection account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Stream trash removal (264-00-1800-1816).....\$0

Provided, That any unencumbered balance in the stream trash removal account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Any unencumbered balance in the small town infrastructure account of the state water plan fund (264-00-1800-1817) in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(d) During the fiscal year ending June 30, 2025, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2025 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2025 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund (264-00-2020-2830) of the department of health and environment, which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2024, and on other occasions during fiscal year 2025 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue fund or funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2025, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment that have available moneys to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment or to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2025, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2025 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year

2025 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2025, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(j) During the fiscal year ending June 30, 2025, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by this or any other appropriation act of the 2024 regular session of the legislature to use satellite imagery to identify confined feeding facilities, as defined in K.S.A. 65-171d, and amendments thereto, for inspection.

Sec. 82.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

State operations (039-00-1000-0801).....\$85,123
Alcohol and drug abuse services grants (039-00-1000-1010).....\$2,500,654

Provided, That expenditures shall be made by the above agency from the alcohol and drug abuse services grants account to submit a report on the distribution and usage of moneys from the state general fund and federal funds to substance use disorder providers, including the name of each such provider and the dollar amount received by such provider during fiscal year 2023, to the senate committee on ways and means human services subcommittee and the house of representatives committee on social services budget on or before January 13, 2025.

Kansas neurological institute – operating
expenditures (363-00-1000-0303).....\$141,236

Larned state hospital – sexual predator treatment
program (410-00-1000-0200).....\$146,275

Osawatomic state hospital –
SPTP MiCo (494-00-1000-0200).....\$11,297

Parsons state hospital and training center –
operating expenditures (507-00-1000-0100).....\$242,215

Parsons state hospital and
training center – sexual predator
treatment program (507-00-1000-0200).....\$49,342

Osawatomic state hospital – operating
expenditures account (494-00-1000-0100).....\$2,435,962

Osawatomic state hospital – certified
care expenditures account (494-00-1000-0101).....\$1,989,423

Larned state hospital – operating expenditures account (410-00-1000-0103).....\$16,196,949

(b) On the effective date of this act, of the \$551,600,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 89(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$16,307,403 is hereby lapsed.

(c) On the effective date of this act, of the \$53,200,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 89(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$2,353,887 is hereby lapsed.

(d) On the effective date of this act, the \$903,780 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 89(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the PASRR account (039-00-1000-0210) is hereby lapsed.

(e) On the effective date of this act, of the \$268,450 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 148(a) of chapter 82 of the 2023 Session Laws of Kansas from the state institutions building fund in the debt service – state hospitals rehabilitation and repair account (039-00-8100-8325), the sum of \$1,006 is hereby lapsed.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 89(b) of chapter 82 of the 2023 Session Laws of Kansas on the social service block grant fund (039-00-3307-3371) of the Kansas department for aging and disability services is hereby increased from \$4,500,000 to \$4,541,339.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 89(b) of chapter 82 of the 2023 Session Laws of Kansas on the Larned state hospital fee fund (410-00-2073-2100) is hereby increased from \$3,970,643 to \$4,346,521.

(h) On June 30, 2024, the director of accounts and reports shall transfer any unencumbered balance in the mental health grants fund (039-00-2160-2160) of the Kansas department for aging and disability services to the state highway fund (276-00-4100-4100) of the department of transportation.

Sec. 83.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

RSI crisis center base services (039-00-1000-0110).....	\$3,576,100
Comcare crisis center base services (039-00-1000-0120).....	\$1,300,000
Valeo crisis center base services (039-00-1000-0130).....	\$500,000
Salina crisis center base services (039-00-1000-0140).....	\$85,000
Administration official hospitality (039-00-1000-0204).....	\$1,748

Provided, That any unencumbered balance in the administration official hospitality account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Senior care act (039-00-1000-0260).....\$5,515,000

Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2025 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2024: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2025 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2024: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

Any unencumbered balance in the program for all-inclusive care for the elderly account (039-00-1000-0270) in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Program grants – nutrition –

state match (039-00-1000-0280).....\$7,045,725

Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2025 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2024: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2025 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2024: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

LTSS Services (039-00-1000-0520).....\$9,964,860

Provided, That any unencumbered balance in the community services and programs account in excess of \$100 as of June 30, 2024, is hereby reappropriated to the LTSS services account for fiscal year 2025.

KanCare caseloads (039-00-1000-0610).....\$566,000,000

Provided, That any unencumbered balance in the KanCare caseloads account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Non-KanCare caseloads (039-00-1000-0611).....\$67,188,000

Provided, That any unencumbered balance in the non-KanCare caseloads account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025:

Provided further, That all people receiving or applying for services that are funded, either partially or entirely, from the non-KanCare caseloads account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

KanCare non-caseloads (039-00-1000-0612).....\$470,843,123

Provided, That any unencumbered balance in the KanCare non-caseloads account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

State operations (039-00-1000-0801).....\$41,501,607

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further,* That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse

services grants (039-00-1000-1010).....\$13,218,139

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further,* That expenditures shall be made by the above agency from the alcohol and drug abuse services grants account to submit a report on the distribution and usage of moneys from the state general fund and federal funds to substance use disorder providers, including the name of each such provider and the dollar amount received by such provider during fiscal year 2024 and fiscal year 2025 to date, to the senate committee on ways and means human services subcommittee and the house of representatives committee on social services budget on or before January 13, 2025.

Community mental health

centers support (039-00-1000-3001).....\$54,184,328

Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2024, is hereby reappropriated to the community mental health centers support account for fiscal year 2025.

Regional beds (039-00-1000-3003).....\$29,650,000

Provided, That any unencumbered balance in the regional beds funding account in excess of \$100 as of June 30, 2024, is hereby reappropriated to the regional beds account for fiscal year 2025.

Behavioral health services (039-00-1000-3004).....\$29,883,075

Provided, That any unencumbered balance in the BH community aid account in excess of \$100 as of June 30, 2024, is hereby reappropriated to the behavioral health services account for fiscal year 2025.

Counties and hospitals

reimbursement (039-00-1000-3005).....\$5,000,000

Provided, That any unencumbered balance in the counties and hospitals reimbursement account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

CDDO support (039-00-1000-4001).....\$11,974,857

Provided, That any unencumbered balance in the CDDO support account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Aging services grants.....\$5,600,000

Kansas neurological institute – operating expenditures (363-00-1000-0303).....\$15,805,553

Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: Provided, however; That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: Provided further; That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating expenditures (410-00-1000-0103).....\$33,860,509

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: Provided, however; That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: Provided further; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: And provided further; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – SPTP new crimes reimbursement (410-00-1000-0110).....\$5,000

Provided, That any unencumbered balance in the Larned state hospital – SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Larned state hospital – sexual predator treatment program (410-00-1000-0200).....\$24,647,905

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Osawatomic state hospital – operating expenditures (494-00-1000-0100).....\$20,790,116

Provided, That any unencumbered balance in the Osawatomic state hospital – operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: Provided, however; That expenditures from the Osawatomic state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Osawatomic state hospital – certified care expenditures (494-00-1000-0101).....\$6,339,019

Provided, That any unencumbered balance in the Osawatomic state hospital – certified care expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Osawatomic state hospital – SPTP MiCo (494-00-1000-0200).....\$1,566,848

Provided, That any unencumbered balance in the Osawatomic state hospital – SPTP MiCo account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Parsons state hospital and training center –

operating expenditures (507-00-1000-0100).....\$19,221,304

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital and

training center – sexual predator

treatment program (507-00-1000-0200).....\$2,037,289

Provided, That any unencumbered balance in the Parsons state hospital and training center – sexual predator treatment program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Mental health intervention team pilot (652-00-1000-0150).....\$13,534,722

Provided, That expenditures shall be made by the above agency from such account during fiscal year 2025 to establish the mental health intervention team program: *Provided further*; That such program shall be a continuation of the mental health intervention team pilot program first established pursuant to section 1 of chapter 57 of the 2018 Session Laws of Kansas and K.S.A. 72-9943, and amendments thereto, and continued and expanded through subsequent appropriation acts of the legislature: *And provided further*; That the purposes of the mental health intervention team program are to: Provide greater access to behavioral health services for students enrolled in kindergarten or any of the grades one through 12 and establish a coherent structure between school districts and mental health intervention team providers to optimize scarce behavioral health resources and workforce; identify students, communicate with families and link students and their families to the statewide behavioral health systems and resources within the network of mental health intervention team providers; alleviate the shortage of staff with specialized degrees or training such as school counselors, psychologists and social workers and reduce the competition for such staff between school districts and other private and governmental service providers to provide broader-based and collaborative services to students, especially in rural districts that do not have enough students to justify a full-time staff position; provide and coordinate mental health services to students throughout the calendar year, not only during school hours over nine months of the school year; and reduce barriers that families experience

to access mental health services and maintain consistency for a child to attend recurring sessions and coordination between the child's classroom schedule and the provision of such services: *And provided further*; That the program shall focus on the following students: Any student who has been adjudicated as a child in need of care and is in the custody of the secretary for children and families or has been referred for a families first program or family preservation program; and any other student who is in need of mental health support services: *And provided further*; That the secretary for aging and disability services shall appoint a mental health intervention team program manager and, within the limits of appropriations therefor, such additional staff as necessary to support such manager: *And provided further*; That the above agency shall oversee and implement the mental health intervention team program in accordance with the requirements of this proviso and the policies and procedures established by the above agency pursuant to this proviso: *And provided further*; That during fiscal year 2025, the board of education of a school district may apply to the above agency to establish or maintain a mental health intervention team program within such school district: *And provided further*; That the application shall be in such form and manner as the above agency requires and submitted at a time determined and specified by such agency: *And provided further*; That each application submitted by a school district shall specify the mental health intervention team provider that the school intends to coordinate with to provide school-based services to students who need assistance during the applicable school year: *And provided further*; That the school district shall provide notice to the mental health intervention team provider as soon as they are able of their intent to partner for the following school year: *And provided further*; That the above agency shall establish an application review committee that shall include representatives from mental health intervention team providers and the department of education: *And provided further*; That if a school district and mental health intervention team provider are approved to establish or maintain a mental health intervention team program, the school district shall enter into a memorandum of understanding with a partnering mental health intervention team provider: *And provided further*; That if the school district chooses to partner with more than one mental health intervention team provider, the school district shall enter into a separate memorandum of understanding with each such mental health intervention team provider: *And provided further*; That the above agency may establish requirements for a memorandum of understanding, including contractual provisions that are required to be included in each memorandum of understanding and that are optional and subject to agreement between the school district and the mental health intervention team provider: *And provided further*; That each memorandum of understanding shall be submitted to the above agency for final approval: *And provided further*; That the above agency may authorize another category of provider other than a mental health intervention team provider to serve as a partnering provider under the mental health intervention team program pursuant to this proviso: *And provided further*; That such category of provider shall provide the required services and otherwise meet the requirements of a partnering mental health intervention team provider under this proviso: *And provided further*; That if the above agency authorizes another category of provider other than a mental health intervention team provider, such agency shall provide notification of this decision to the mental health intervention team provider that provides services in that county: *And provided further*; That, subject to appropriations therefor, a school district and mental health intervention team provider that have been

approved by the above agency to establish or maintain a mental health intervention team program shall be eligible to receive a mental health intervention team program grant and a mental health intervention team provider pass-through grant: *Provided, however*; That the amount of a school district's mental health intervention team program grant shall be determined in each school year by calculating the total amount of the salary and fringe benefits paid by the school district to each school liaison: *And provided further*; That the amount of a school district's mental health intervention team provider pass-through grant shall be an amount equal to 50% of the amount of the school district's mental health intervention team grant: *And provided further*; That moneys provided to a school district for the mental health intervention team provider pass-through grant shall be paid to any mental health intervention team provider that partners with the school district: *And provided further*; That if the amount of appropriations are insufficient to pay in full the amount of all grants school districts are entitled to receive for the school year, the above agency shall prorate the amount appropriated among all districts: *And provided further*; That the above agency shall be responsible for the allocation and distribution of grants in accordance with appropriation acts: *And provided further*; That the above agency may make grant payments in installments and may provide for payments in advance or by way of reimbursement and may make any necessary adjustments for any overpayment to a school district: *And provided further*; That the above agency shall not award any grant to a school district unless such district has entered into a memorandum of understanding with a partnering mental health intervention team provider in accordance with this proviso: *And provided further*; That any remaining appropriations that were not allocated to the mental health intervention team program shall provide funding in the form of grants from the above agency to the association of mental health intervention team providers of Kansas to fund training for school districts participating in the mental health intervention team program pursuant to this proviso: *And provided further*; That the above agency shall seek advice from mental health intervention team providers prior to awarding any grant under this subsection: *And provided further*; That the above agency may waive the requirement that a school district employ a school liaison and may instead authorize a mental health intervention team provider that partners with the school district to employ a school liaison: *And provided further*; That such waiver shall only be granted by the above agency in limited circumstances: *And provided further*; That a school district that is granted a waiver pursuant to this proviso shall continue to be eligible to receive the mental health intervention team program grant and the mental health intervention team provider pass-through grant authorized pursuant to this proviso: *And provided further*; That the amount of the mental health intervention team program grant shall be determined in the same manner as provided under this proviso as though the school liaison was employed by such school district: *And provided further*; That upon receipt of any moneys awarded pursuant to the mental health intervention team program grant to any such school district, the school district shall direct payment of such amount to the mental health intervention team provider that employs the school liaison: *And provided further*; That on or before January 13, 2025, the above agency shall prepare and submit a report on the mental health intervention team program for the preceding school year to the house of representatives standing committees on appropriations, social services budget and health and human services, or their successor committees, and the senate standing committees on ways and means, ways and means

subcommittee on human services and public health and welfare, or their successor committees: *And provided further*; That such report shall provide a summary of the program, including, but not limited to, the school districts that applied to participate or continued participating under the program, the mental health intervention team providers, the grant amount each such school district received and the payments made by school districts from the mental health intervention team program fund of each school district: *And provided further*; That the staff required for the establishment and maintenance of a mental health intervention team program shall include a combination of one or more behavioral health liaisons employed by the school district and one or more case managers and therapists licensed by the behavioral sciences regulatory board who are employed by the partnering mental health intervention team provider: *And provided further*; That all staff working together under a school district's program shall be known as the mental health intervention team of the school district: *And provided further*; That the school district and the mental health intervention team provider shall cooperate and work together to identify needs specific to the students in the school district, and the families of such students and shall develop an action plan to implement a school-based program that is tailored to such needs: *And provided further*; That a school district that participates in the program shall employ one or more school liaisons who will help students in need and coordinate services between the school district, the student, the student's family and the mental health intervention team provider: *And provided further*; That a school liaison shall have a bachelor's degree in any field of study: *And provided further*; That a school liaison's roles and responsibilities include, but are not limited to: Identifying appropriate student referrals for the team to engage with; act as a liaison between the school district and the mental health intervention team provider and be the primary point of contact for communications between the school district and the mental health intervention team provider; assist with mental health intervention team provider staff understanding of the school district's system and procedures including the school calendar, professional development, drills and crisis plan protocols; triage prospective student referrals and help decide how to prioritize interventions; help the mental health intervention team provider and other school personnel understand the roles and responsibilities of the mental health intervention team; facilitate communications and connections between families of identified students and the mental health intervention team provider's staff; coordinate a student's treatment schedule with building administrators and classroom teachers, to optimize clinical therapist's productivity; troubleshoot problems that arise and work with the mental health intervention team provider to resolve such problems; track and compile outcomes to monitor the effectiveness of the program; maintain and update the department of education mental health intervention team database as directed by the above agency and required by this section; follow up with child welfare contacts if a student has moved schools to get the child's educational history; be an active part of the school intervention team and relay information back to mental health intervention team provider staff, including student observations, intervention feedback from teachers, communications with family and other relevant information; work with school administration to identify and provide confidential space for a mental health intervention team provider therapist; assist in planning continuity of care through summer services; and submit an annual report to the above agency on how the liaison complied with the required roles and responsibilities: *And provided further*; That within the scope of employment by a school

district, an individual employed as a school liaison shall primarily perform roles and responsibilities that are related to the school liaison position as described in this section: *And provided further*; That once the initial referral has been completed for a student, all relevant information shall be entered into the database within 14 calendar days: *And provided further*; That a mental health intervention team provider that partners with a school district shall employ one or more therapists licensed by the behavioral sciences regulatory board who will collaborate with the school district to assist students in need and provide services to such students under the program: *And provided further*; That a therapist's roles and responsibilities under the program include, but are not limited to: Assist the school liaison with the identification of appropriate student referrals to the program; triage student referrals with the school liaison to prioritize treatment interventions for identified students; work with the school liaison to connect with families or child welfare contacts to obtain consent to commence treatment; conduct a clinical assessment of the identified student and make appropriate treatment recommendations; engage with the student, family or child welfare contacts in clinical interventions as identified on the treatment plan and provide individual and family therapy; administer scales or tests to detect areas of concern with depression, anxiety, self-harm or other areas as identified; make referrals to other treatment modalities as appropriate; communicate educationally appropriate information to the school liaison, such as interventions and strategies for use by classroom and school staff; gather outcome data to monitor the effectiveness of the program; coordinate with the case manager to identify ways to support the student and family; provide therapy services as determined by the students' treatment plan; and maintain the treatment plan and necessary treatment protocols required by the mental health intervention team provider: *And provided further*; That a mental health intervention team provider that partners with a school district shall employ one or more case managers who will collaborate with the school district to assist students in need and to coordinate services under the program: *And provided further*; That a case manager's roles and responsibilities under the program include, but are not limited to: Work with the school liaison and clinical therapist to identify students and triage priorities for treatment; provide outreach to students, families and child welfare contacts to help engage in treatment; participate in the treatment planning process; communicate with the school liaison and other school district personnel about student needs, interventions and progress; help maintain communication between all entities, including the family, student, school, clinical therapist, child welfare contacts and the community; maintain the treatment plan and necessary treatment protocols required by the mental health intervention team provider; make referrals to appropriate community resources; help reconnect students and families when they are not following through with the treatment process; help families negotiate barriers to treatment; and engage with the student in the classroom, the home or the community to help build skills wherever needed: *And provided further*; That each school district that receives moneys for the mental health intervention team program grant or the mental health intervention team provider pass-through grant awarded pursuant to this proviso shall credit the moneys to a mental health intervention team program fund created by such school district: *And provided further*; That moneys in such fund shall be used by a school district to: Pay for the expenditures that are attributable to the salary and fringe benefits of any school liaison employed by the school district pursuant to the mental health intervention team program; and provide

payment to each partnering mental health intervention team provider in an amount equal to the mental health intervention team provider pass-through grant received by the school district: *And provided further*; That the school district shall keep separate accounting records for the school liaison expenditures and the pass-through grants to mental health intervention team providers: *And provided further*; That the above agency shall publish on its website an aggregated report of outcomes achieved, numbers served and associated information by the mental health intervention team program: *And provided further*; That the above agency shall establish a hotline that individuals receiving services from the mental health intervention team program may access outside of the hours that such individuals are receiving services: *And provided further*; That such hotline shall be established for the purposes of providing information sharing and communications regarding crisis coordination and emergency response services: *And provided further*; That as used in this proviso: (1) "Mental health intervention team provider" means a center organized pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, a mental health clinic organized pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or a federally qualified health center as defined by section 1905(l)(2)(B) of the federal social security act: *And provided further*; That "mental health intervention team provider" includes other provider categories as authorized by the above agency to serve as a partnering provider under the mental health intervention team program pursuant to this proviso: *And provided further*; That a provider under this proviso shall provide services, including: Support for students available 24 hours a day, seven days a week; person-centered treatment planning; and outpatient mental health services; and (2) "school district" means a school district as defined in K.S.A. 72-5132, and amendments thereto, or "qualified school" as defined in K.S.A. 72-4352, and amendments thereto.

Any unencumbered balance in the other medical assistance account (039-00-1000-3002) in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund (039-00-2595-4130).....No limit

Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and intellectual disabilities may be credited to the title XIX fund: *Provided further*; That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute title XIX
 reimbursements fund (363-00-2060-2200).....No limit

Larned state hospital title XIX
 reimbursements fund (410-00-2074-2200).....No limit

Osawatomie state hospital title XIX
 reimbursements fund (494-00-2080-4300).....No limit

Osawatomie state hospital certified care title XIX

reimbursements fund (494-00-2080-4301).....	No limit
Parsons state hospital title XIX	
reimbursements fund (507-00-2083-2300).....	No limit
Kansas neurological institute	
fee fund (363-00-2059-2000).....	\$1,650,732
Kansas neurological institute –	
foster grandparents program –	
federal fund (363-00-3115-3200).....	No limit
Kansas neurological institute – FGP gifts, grants,	
donations fund (363-00-7125-7400).....	No limit
Kansas neurological institute – patient	
benefit fund (363-00-7910-7100).....	No limit
Kansas neurological institute – work therapy patient	
benefit fund (363-00-7940-7200).....	No limit
Larned state hospital	
fee fund (410-00-2073-2100).....	\$3,675,997
Larned state hospital – work therapy patient	
benefit fund (410-00-7938-7200).....	No limit
Osawatomic state hospital	
fee fund (494-00-2079-4200).....	\$1,717,298
<i>Provided</i> , That all moneys received as fees for the use of video teleconferencing equipment at Osawatomic state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomic state hospital fee fund: <i>Provided further</i> , That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomic state hospital: <i>And provided further</i> , That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomic state hospital fee fund.	
Osawatomic state hospital certified	
care fund (494-00-2079-4201).....	\$4,338,064
Osawatomic state hospital – cottage revenue and	
expenditures fund (494-00-2159-2159).....	No limit
Osawatomic state hospital – training fee	
revolving fund (494-00-2602-2000).....	No limit
<i>Provided</i> , That all moneys received as fees for training activities for Osawatomic state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomic state hospital – training fee revolving fund: <i>Provided further</i> , That the superintendent of Osawatomic state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomic state hospital: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomic state hospital.	
Osawatomic state hospital – motor pool	
revolving fund (494-00-6164-5200).....	No limit
Osawatomic state hospital –	

canteen fund (494-00-7807-5600).....No limit
 Osawatomie state hospital – work therapy patient
 benefit fund (494-00-7939-5800).....No limit
 Parsons state hospital and training center
 fee fund (507-00-2082-2200).....\$1,050,000

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Parsons state hospital and training center –
 canteen fund (507-00-7808-5500).....No limit
 Parsons state hospital and training center – patient
 benefit fund (507-00-7916-5600).....No limit
 DADS social welfare fund (039-00-2141-2195).....No limit
 Indirect cost fund (039-00-2193-2193).....No limit
 Health occupations credentialing
 fee fund (039-00-2315-2315).....No limit
 Community mental health center
 improvement fund (039-00-2336-2336).....No limit
 Community crisis stabilization
 centers fund (039-00-2337-2337).....No limit
 Clubhouse model
 program fund (039-00-2338-2338).....No limit
 Medical resources and
 collection fund (039-00-2363-2100).....No limit

Provided, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *Provided further*, That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And provided further*, That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *And provided further*, That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

Problem gambling and addictions
 grant fund (039-00-2371-2371).....\$8,406,548

Provided, That expenditures shall be made by the above agency from the problem gambling and addictions grant fund, not to exceed \$5,000,000, to provide

reimbursement to organizations that provide substance use disorder treatment for uninsured individuals.

State licensure fee fund (039-00-2373-2370).....No limit

Provided, That expenditures shall be made by the above agency from the state licensure fee fund for fiscal year 2025 for the purpose of providing oversight of supplemental nursing services agencies through annual registration and quarterly reporting: *Provided further*; That the above agency shall require a supplemental nursing services agency to register with the above agency by completing a form established by such agency and pay a registration fee of not to exceed \$2,035: *And provided further*; That all fees received pursuant to this subsection shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state licensure fee fund: *And provided further*; That the above agency shall require a report from each registered supplemental nursing services on a quarterly basis for each healthcare facility that participates in medicare or medicaid with which the supplemental nursing services agency contracts: *And provided further*; That the report shall include a detailed list of the average amount that the supplemental nursing services agency charged the healthcare facility for each individual agency employee category and the supplemental nursing services agency paid to employees in each individual employee category: *And provided further*; That as used in this subsection, "supplemental nursing services agency" means a person engaged for hire in the business of providing or procuring temporary employment in healthcare facilities for nurses and nurse aides: *Provided, however*; That a "supplemental nursing services agency" does not include any individual who only engages in providing such individual's services on a temporary basis to healthcare facilities.

General fees fund (039-00-2524-2500).....No limit

Provided, That the secretary for aging and disability services is hereby authorized to collect: (1) Fees from the sale of surplus property; (2) fees charged for searching, copying and transmitting copies of public records; (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property; and (4) other miscellaneous fees: *Provided further*; That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures shall be made from this fund to meet the obligations of the Kansas department for aging and disability services or to benefit and meet the mission of the Kansas department for aging and disability services.

Senior citizen nutrition

check-off fund (039-00-2660-2610).....No limit

Other state fees fund – community

alcohol treatment (039-00-2661-0000).....No limit

County competency

expense fund (039-00-2893-2893).....No limit

988 suicide prevention and mental health crisis

hotline fund (039-00-2913-2913).....No limit

Quality care services fund (039-00-2999-2902).....No limit

Provided, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 75-7435, and amendments thereto, and notwithstanding the

provisions of K.S.A. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the quality care services fund: *Provided further*, That all moneys in the quality care services fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 75-7435, and amendments thereto.

- Opioid abuse treatment & prevention –
 - federal fund (039-00-3023-3024).....No limit
- Kansas national background check program –
 - federal fund (039-00-3032-3132).....No limit
- Money follows the person grant –
 - federal fund (039-00-3054-4000).....No limit
- Survey & certification –
 - federal fund (039-00-3064-3064).....No limit
- Provided*, That transfers of moneys from the survey & certification – federal fund to the state fire marshal may be made during fiscal year 2025 pursuant to a contract, which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.
- Substance abuse/mental health
 - services – partnership for success –
 - federal fund (039-00-3284-1327).....No limit
- Special program for aging IIID –
 - federal fund (039-00-3286-3285).....No limit
- Special program for aging IIIB –
 - federal fund (039-00-3287-3281).....No limit
- Special program for aging IV & II –
 - federal fund (039-00-3288-3297).....No limit
- National family caregiver support program IIIE –
 - federal fund (039-00-3289-3201).....No limit
- Nutrition services incentives –
 - federal fund (039-00-3291-3305).....No limit
- Prevention/treatment substance abuse –
 - federal fund (039-00-3301-0310).....No limit
- Social service block
 - grant fund (039-00-3307-3371).....\$4,500,000

Provided, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2025 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2024: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2025 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2024: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures

from this fund shall be placed in appropriate services that are determined to be the most economical services available.

Community mental health block grant – federal fund (039-00-3310-0460).....	No limit
Temporary assistance for needy families – federal fund (039-00-3323-3323).....	No limit
PATH – federal fund (039-00-3347-4316).....	No limit
Special program for aging VII-2 – federal fund (039-00-3358-3072).....	No limit
TBI partnership program fund (039-00-3376-3376).....	No limit
Disaster response for Children – federal fund (039-00-3385-3591).....	No limit
Special program for aging VII-3 – federal fund (039-00-3402-3000).....	No limit
Center for medicare/medicaid service – federal fund (039-00-3408-3300).....	No limit
Medicare fund – oasis (039-00-3408-3350).....	No limit
<i>Provided, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.</i>	
Medicare fund – SHICK (039-00-3408-3400).....	No limit
Medical assistance program – federal fund (039-00-3414-0442).....	No limit
Children's health insurance – federal fund (039-00-3424-3420).....	No limit
Special program for aging IIIC – federal fund (039-00-3425-3423).....	No limit
Medicare enrollment assistance program fund – federal (039-00-3468-3450).....	No limit
Systems of care grant – federal fund (039-00-3595-3595).....	No limit
SAMHSA covid-19 supplemental – federal fund (039-00-3672-3997).....	No limit
SSA xx ombudsman cares FFY21 – federal fund (039-00-3680-3083).....	No limit
KS assisted outpatient treatment – federal fund (039-00-3733-3101).....	No limit
ADAS data collection grant – federal fund (039-00-3887-3887).....	No limit
KS ccbhc planning grant – federal fund (039-00-3930-3930).....	No limit
Long-term care loan and grant fund (039-00-5110-5100).....	No limit
KDFA refunding revenue bond 2013B fund (039-00-7111).....	No limit

Trust fund (039-00-7299).....No limit
 Gifts and donations fund (039-00-7309-7000).....No limit

Provided, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Larned state security hospital
 KDFA 02N-1 fund (039-00-8703).....No limit

SRS state of Kansas KDFA 04A-1
 project fund (039-00-8704).....No limit

State of Kansas projects
 KDFA 2010E-F fund (039-00-8705).....No limit

Parking deduction clearing fund (039-00-9233-9200).....No limit

Medical assistance recovery
 clearing fund (039-00-9300).....No limit

Credit card clearing fund (039-00-9400).....No limit

American rescue plan
 state relief fund (039-00-3756-3536).....No limit

Valley hope substance use disorder fund.....\$2,500,000

Provided, That, notwithstanding the provisions of the Kansas fights addiction act, K.S.A. 2023 Supp. 75-775 through 75-781, and amendments thereto, expenditures shall be made from the valley hope substance use disorder fund for infrastructure to expand valley hope located in Atchison, Kansas: *Provided, however*, That prior to making such expenditures, the above agency shall present to the Kansas fights addiction grant review board the above expenditure for the board's review.

Indigent support fund.....\$5,000,000

Provided, That expenditures shall be made from the indigent support fund for providing support to the substance use disorder providers who provide services to individuals who have no insurance or other medical coverage: *Provided further*; That the above agency shall develop guidelines for providers to apply for the funds and establish a review team for the application for funds to determine that such funds are being appropriately used to provide services to such indigent individuals: *Provided, however*, That prior to making such expenditures, the above agency shall present to the Kansas fights addiction grant review board the above expenditure for the board's review.

(c) On July 1, 2024, and at other times during fiscal year 2025, when necessary as determined by the secretary for aging and disability services, the director of accounts and reports shall transfer amounts specified by the secretary for aging and disability services, which amounts constitute reimbursements, credits and other amounts received by the Kansas department for aging and disability services for activities related to federal programs from specified special revenue funds of the Kansas department for aging and disability services to the indirect cost fund of the Kansas department for aging and disability services.

(d) On July 1, 2024, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund (494-00-7807-

5600) to the Osawatimie state hospital – patient benefit fund (494-00-7914-5700).

(e) On July 1, 2024, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund (507-00-7808-5500) to the Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).

(f) On July 1, 2024, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund (410-00-7806-7000) to the Larned state hospital – patient benefit fund (410-00-7912-7100).

(g) During the fiscal year ending June 30, 2025, no moneys paid by the Kansas department for aging and disability services from the CDDO support account (039-00-1000-4001) of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2025, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2025 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2025 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2025, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2025 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2025 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2025 regular session of the legislature, expenditures may be made by the secretary for

children and families and the secretary of health and environment for fiscal year 2025 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2025: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2025 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) During the fiscal year ending June 30, 2025, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2025 from the title XIX fund (039-00-2595-4130) of the Kansas department for aging and disability services to any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(l) Notwithstanding the provisions of K.S.A. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services may provide rate increases for nursing facilities for fiscal year 2025.

(m) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by such agency from such moneys to operate, or contract for the operation of, eight acute inpatient psychiatric care beds for children in the city of Hays, Kansas, or the surrounding area: *Provided, however*; That expenditures for such purposes during fiscal year 2025 shall not exceed \$4,000,000.

(n) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by such agency from such moneys to implement a process for certification and funding for certified community behavioral health clinics: *Provided*, That such agency shall certify as a certified community behavioral health

clinic any community behavioral health center licensed by such agency that provides the following services: Crisis services; screening, assessment and diagnosis, including risk assessment; person-centered treatment planning; outpatient mental health and substance use services; primary care screening and monitoring of key indicators of health risks; targeted case management; psychiatric rehabilitation services; peer support and family supports; medication-assisted treatment; assertive community treatment; and community-based mental healthcare for military servicemembers and veterans.

(o) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by such agency from such moneys to submit a report on a quarterly basis, in collaboration with the Kansas department of health and environment, to the Robert G. (Bob) Bethell joint committee on home and community based services regarding the home and community-based services brain injury waiver, including the:

(1) Number of members enrolled in such waiver at the end of the month prior to the committee meeting;

(2) unduplicated number of such members over the course of the calendar year;

(3) number of such members receiving services for a period longer than 2 years and longer than 4 years;

(4) number of such members who did not receive services within a period of 60, 90 or 120 or more days after being enrolled;

(5) number of such members who did not receive a specific waiver service within a period of 30, 60, 90 or 120 or more days prior to the date such member was officially unenrolled from such waiver;

(6) amount of the per-member, per-month enhanced dollar rate provided to a managed care organization for each member enrolled in such waiver;

(7) total number of members enrolled in the waiver disaggregated by county and the per capita enrollment in such waiver disaggregated by county; and

(8) agency's progress toward new policy implementation.

(p) During the fiscal year ending June 30, 2025, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2025 regular session of the legislature, the above agency shall make expenditures from such moneys to establish guidelines for nursing facilities, as defined in K.S.A. 39-923, and amendments thereto, to request a waiver from staffing requirements and to study establishing similar guidelines for other adult care homes, as defined in K.S.A. 39-923, and amendments thereto: *Provided*, That any such guidelines shall be compatible with rules established by the United States centers for medicare and medicaid services.

(q) During the fiscal year ending June 30, 2025, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2025 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements with community mental health centers for the purpose of establishing rates for conducting mobile competency evaluations.

(r) During the fiscal year ending June 30, 2025, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2025 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements to conduct a study of inpatient treatment facility and community-based treatment options, including, but not limited to, psychiatric residential treatment facilities, for treatment of patients under the age of 21 with complex and co-occurring psychiatric disorders combined with intellectual disabilities, developmental disabilities or other cognitive disabilities that result in higher acuity or aggressive behavior that can cause them to be a risk of harm to themselves or others, including developmental disorders such as Smith-Magenis syndrome: *Provided further*, That such study shall include specific recommendations to fill gaps encountered in serving such youth across the state's service delivery systems.

(s) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by this or any other appropriation act of the 2025 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto.

(t) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys for the purpose of preparing a report on such agency's progress to build capacity for crisis services for Kansans with intellectual or developmental disability: *Provided*, That such report shall be submitted to the senate committee on public health and welfare, the appropriate subcommittee of the senate committee on ways and means, the house of representatives committee on health and human services and the house of representatives committee on social services budget.

(u) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2025 for the purpose of reviewing the overall costs of providing services within the intellectual and developmental disability service system and making recommendations to the legislature for a method to make regular rate adjustments for such services based on inflationary indexes.

(v) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year

2025 for the purpose of submitting to the United States centers for medicare and medicaid services an approval request to develop a home and community-based services community supports waiver to provide services to individuals with intellectual or developmental disability: *Provided*, That the waiver application for such program shall reflect the recommendations of the 2022 Special Committee on Intellectual and Developmental Disability Waiver Modernization, including a per-person maximum of \$20,000 and offering services for transportation, supported employment, individual-directed goods and services, personal care, respite, therapy, assistive technology, independent living, family or caregiver support and training, financial management services and support brokers and benefits counseling.

(w) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made from moneys appropriated for the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2025, by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to convene a workgroup to study the opening of medicaid rehabilitation codes to new provider types and provide a report to the senate committee on ways and means human services subcommittee and the house of representatives social services budget committee: *Provided*, That the members of such workgroup shall include representatives from the Kansas department for aging and disability services, the department of environment – division of health care finance, the association of community mental health centers of Kansas, community mental health centers, the Kansas health institute and the national council on mental wellbeing.

(x) During the fiscal year ending June 30, 2025, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from moneys appropriated for the above agency from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to study capacity issues related to home and community-based services provided under the frail and elderly waiver and, if needed, on or before the first day of the 2025 regular session, make recommendations for expanding such services to the senate committee on ways and means human services subcommittee and the house of representatives committee on social services budget.

(y) During the fiscal year ending June 30, 2025, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from moneys appropriated for the above agency from the state general fund or any special revenue fund or funds for fiscal year 2025 by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to submit a report on how much funding goes to each community developmental disability organization to provide services that are not reimbursable from other funding sources, including what services are provided and what percentage of funds go to each service to the senate committee on ways and means human services subcommittee and the house of representatives committee on social services budget on or before January 13, 2025.

(z) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year

2025 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by such agency from such moneys to require all assisted living facilities, residential healthcare facilities, home plus and boarding care homes, as such terms are defined in K.S.A. 39-923, and amendments thereto, during fiscal year 2025 to submit a report to the secretary for aging and disability services upon the completion of every involuntary transfer or discharge of a resident pursuant to K.A.R. 26-39-102(d) and (f): *Provided, however*; That such reports shall include no personally identifiable information: *Provided further*; That such report shall include: (1) The date when notice of transfer or discharge was provided; (2) the date when the resident left the facility; (3) the type of facility where the resident was transferred or discharged; (4) the reason that required the transfer or discharge of the resident pursuant to K.A.R. 26-39-102(d); (5) if the resident was transferred or discharged pursuant to K.A.R. 26-39-102(f), the reason that required such transfer or discharge; (6) if the resident filed a complaint regarding the notice of transfer or discharge; and (7) any other relevant information required by the secretary: *And provided further*; That any facility that fails to submit a report within 60 days of the completion of the transfer or discharge or resolution of a formal complaint shall be subject to a civil penalty as provided in K.S.A. 39-946, and amendments thereto: *And provided further*; That the secretary shall establish a system and collect data from the long term care ombudsman and such assisted living facilities, residential healthcare facilities, home plus and boarding care homes on any involuntary transfers or discharges pursuant to K.A.R. 26-39-102(d) and (f): *And provided further*; That the secretary shall compile all such information and submit a report to the house of representatives committees on social services budget, health and human services and judiciary and the senate committees on public health and welfare and ways and means on the first day of the 2026 regular session of the legislature.

(aa) During the fiscal year ending June 30, 2025, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2025 as authorized by this or other appropriation act of the 2024 regular session of the legislature, to make any changes to targeted case management services for persons with intellectual or developmental disabilities unless the legislature expressly consents to, and approves of, such changes by an act or appropriation act of the legislature.

(bb) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,500,000 from the Kansas fights addiction fund (082-00-2826-2826) of the attorney general to the valley hope substance use disorder fund of the Kansas department for aging and disability services.

(cc) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,000,000 from the Kansas fights addiction fund (082-00-2826-2826) of the attorney general to the indigent support fund of the Kansas department for aging and disability services.

(dd) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2025 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to decrease the waiting list for eligible individuals to receive home

and community-based services pursuant to the physical disability (PD) waiver to not more than 2,000 eligible individuals: *Provided*, That expenditures shall be made by the above agency from such moneys to provide an estimate of the amount of additional moneys needed by the above agency to provide home and community-based services pursuant to the PD waiver to eligible individuals and maintain the waiting list to not more than 2,000 eligible individuals for fiscal years 2025 and 2026: *Provided further*, That such estimate shall be submitted to the senate committees on ways and means, public health and welfare and appropriate subcommittee of the committee on ways and means and the house of representatives committees on appropriations, health and human services and social services budget on or before January 13, 2025.

(ee) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2025 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to decrease the waiting list for eligible individuals to receive home and community-based services pursuant to the intellectual or developmental disability (I/DD) waiver to not more than 4,800 eligible individuals: *Provided*, That expenditures shall be made by the above agency from such moneys to provide an estimate of the amount of additional moneys needed by the above agency to provide home and community-based services pursuant to the I/DD waiver to eligible individuals and maintain the waiting list to not more than 4,800 eligible individuals for fiscal years 2025 and 2026: *Provided further*, That such estimate shall be submitted to the senate committees on ways and means, public health and welfare and appropriate subcommittee of the committee on ways and means and the house of representatives committees on appropriations, health and human services and social services budget on or before January 13, 2025.

Sec. 84.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2026, the following:

Certified community behavioral health
clinic planning grants.....\$4,000,000
Provided, That expenditures shall be made by the above agency from the certified community behavioral health clinic planning grants account so that not more than 50% of grants go to assist federally qualified health clinics or federally qualified health clinic look-alikes in becoming certified as a certified community behavioral health clinic.

Sec. 85.

KANSAS DEPARTMENT FOR
CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

State operations (including official
hospitality) (629-00-1000-0013).....\$1,139,488
Youth services aid
and assistance (629-00-1000-7020).....\$2,845,690

Sec. 86.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

State operations (including official hospitality) (629-00-1000-0013).....\$145,578,546

Provided, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Hope ranch program for women (629-00-1000-0600).....\$300,000

Provided, That on or before January 13, 2025, the hope ranch program for women shall report to the Kansas legislature on performance measures evaluating the program's effectiveness for fiscal year 2025.

WeKanDrive (629-00-1000-0700)\$750,000

Provided, That expenditures shall be made from the WeKanDrive account to expand the WeKanDrive program statewide to support older youth in foster care and young adults in obtaining their driver's license in Kansas.

Cash assistance (629-00-1000-2010).....\$14,794,407

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Vocational rehabilitation aid and assistance (629-00-1000-5010).....\$7,818,235

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: Provided further, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: And provided further, That expenditures may be made from this account by the secretary for children and families for the purchase of workers compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Youth services aid and assistance (629-00-1000-7020).....\$256,483,476

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: Provided further, That expenditures shall be made from the youth services aid and assistance account in an amount of not to exceed \$250,000 for funding for keys for networking, inc., to provide the iGRAD program for use among Kansas foster care children: And provided further, That the above agency and keys for networking, inc., shall submit a status report to the senate committee on ways and means human services subcommittee and the house of representatives social services budget committee prior to January 31, 2025, detailing the iGRAD program's use among Kansas foster care children.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Social welfare fund (629-00-2195-0110).....	No limit
Project maintenance	
reserve fund (629-00-2214-0150).....	No limit
Other state fees fund (629-00-2220).....	No limit
Disaster relief – federal fund (629-00-3005-7344).....	No limit
Child care discretionary –	
federal fund (629-00-3028-0522).....	No limit
Title IV-B promoting safe/stable families –	
federal fund (629-00-3302).....	No limit
Low-income home energy assistance –	
federal fund (629-00-3305-0350).....	No limit
Child welfare services state grants –	
federal fund (629-00-3306-0341).....	No limit
Social services block grant –	
federal fund (629-00-3307-0370).....	No limit
Commodity supp food program –	
federal fund (629-00-3308-3215).....	No limit
Social security – disability insurance –	
federal fund (629-00-3309-0390).....	No limit
Supplemental nutrition assistance program –	
federal fund (629-00-3311).....	No limit
Emergency food assistance program –	
federal fund (629-00-3313-2310).....	No limit
Rehabilitation services – vocational rehabilitation –	
federal fund (629-00-3315).....	No limit
Child support enforcement –	
federal fund (629-00-3316).....	No limit
Child care and development	
mandatory and matching –	
federal fund (629-00-3318-0523).....	No limit
Temporary assistance to needy families –	
federal fund (629-00-3323-0530).....	No limit
<i>Provided, That expenditures shall be made by the above agency for fiscal year 2025 from the temporary assistance for needy families – federal fund to the boys and girls clubs for out-of-school time support in an amount of not to exceed \$780,000: Provided further, That expenditures shall be made by the above agency for fiscal year 2025 from the temporary assistance to needy families – federal fund for a matching funds grant with a charitable organization exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code to provide toiletry kits for public elementary or secondary schools in an amount not to exceed \$1,800,000.</i>	
SNAP technology project for success –	
federal fund (629-00-3327-3327).....	No limit
Title IV-E foster care –	
federal fund (629-00-3337-0419).....	No limit
Chafee education and	
training vouchers program –	
federal fund (629-00-3338-0425).....	No limit

Adoption incentive payments – federal fund (629-00-3343-0426).....	No limit
Adoption assistance – federal fund (629-00-3357-0418).....	No limit
Chafee foster care independence program – federal fund (629-00-3365-0417).....	No limit
Headstart – federal fund (629-00-3379-6323).....	No limit
Developmental disabilities basic support – federal fund (629-00-3380-4360).....	No limit
Children's justice grants to states – federal fund (629-00-3381-7320).....	No limit
Child abuse and neglect state grants – federal fund (629-00-3382-7210).....	No limit
Independent living state grants – federal fund (629-00-3387).....	No limit
Independent living services for older blind – federal fund (629-00-3388-5313).....	No limit
Supported employment for individuals with severe disabilities – federal fund (629-00-3389).....	No limit
Medical assistance program – federal fund (629-00-3414).....	No limit
Children's health insurance program – federal fund (629-00-3424-0541).....	No limit
SNAP employment and training exchange – federal fund (629-00-3452-3452).....	No limit
Child-care disaster – federal fund (629-00-3597-3597).....	No limit
Randolph sheppard FRRP – federal fund (629-00-3647-3647).....	No limit
Low income water assistance – federal fund (629-00-3653-3653).....	No limit
Adult prtctve srvcv eia – federal fund (629-00-3658-3658).....	No limit
SNAP pandemic ebt admin-21 – federal fund (629-00-3661-0431).....	No limit
SNAP summer ebt admin – federal fund (629-00-3664-3664).....	No limit
SNAP data grant – federal fund (629-00-3674-3674).....	No limit
Adult protective services crrsa21 – federal fund (629-00-3680-3680).....	No limit
Title IV-E kinship navigator – federal fund (629-00-3712-0429).....	No limit
Coronavirus relief fund (629-00-3753).....	No limit
Prevention services grant fund (629-00-3813-0428).....	No limit
SRS enterprise fund (629-00-5105).....	No limit
Receipt suspense	

clearing fund (629-00-9212-0910).....	No limit
Client assistance payment	
clearing fund (629-00-9214-0930).....	No limit
Child support collections	
clearing fund (629-00-9218-0970).....	No limit
EBT settlement fund (629-00-9219-0980).....	No limit
CAP settlement fund (629-00-9219-0990).....	No limit
Credit card clearing fund (629-00-9405-9400).....	No limit

(c) During the fiscal year ending June 30, 2025, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2025, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2025 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2025, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2025, the following:

Child care (629-00-2000-2406).....	\$5,033,679
<i>Provided</i> , That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Workforce registry (629-00-2000).....	\$1,100,000

Provided, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2024, is hereby reappropriated to the workforce registry account for fiscal year 2025.

Sec. 87.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Kansas guardianship program (261-00-1000-0300).....	\$100,825
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Sec. 88.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Kansas guardianship program (261-00-1000-0300).....	\$1,436,652
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Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Sec. 89.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (434-00-1000-0300).....	\$10,910
Grants to libraries and library systems – talking book services (434-00-1000-0430).....	\$2,900

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

American rescue plan – state fiscal relief – federal fund (434-00-3756).....	No limit
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Sec. 90.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (434-00-1000-0300).....	\$1,447,222
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025:

Provided, however; That expenditures from the operating expenditures account for official hospitality shall not exceed \$755.

Grants to libraries and library systems – grants in aid (434-00-1000-0410).....	\$1,807,717
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Provided, That any unencumbered balance in the grants to libraries and library systems – grants in aid account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-2555, and amendments thereto, or any other statute to the contrary, during the fiscal year ending June 30, 2025, expenditures shall be made by the above agency from the grants to libraries and library systems – grants in aid account to distribute \$1,000 to each eligible local public library: *And provided further*; That expenditures shall be made by the above agency from such account to distribute to each regional library an amount of not less than 1/14 of the total amount distributed to local public libraries in the preceding proviso: *And provided further*; That any remaining moneys in such account after making distributions in accordance with this subsection shall be distributed in accordance with the formula in K.S.A. 75-2555, and amendments thereto.

Grants to libraries and library systems – interlibrary loan development (434-00-1000-0420).....	\$1,133,729
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Provided, That any unencumbered balance in the grants to libraries and library systems – interlibrary loan development account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Grants to libraries and library systems – talking book services (434-00-1000-0430).....	\$466,304
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Provided, That any unencumbered balance in the grants to libraries and library systems – talking book services account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Blind information

access program (434-00-1000-0500).....\$31,000
Provided, That any unencumbered balance in the blind information access program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- State library fund (434-00-2076-2500).....No limit
Federal library services and technology act - fund (434-00-3257-3000).....No limit
Grants and gifts fund (434-00-7304-7000).....No limit
Coronavirus relief fund (434-00-3753).....No limit
American rescue plan - state fiscal relief - federal fund (434-00-3756).....No limit
Sec. 91.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (604-00-1000-0303).....\$26,745
Sec. 92.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (604-00-1000-0303).....\$7,432,213

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025:
Provided, however; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Extended school

year program (604-00-1000-0400).....\$550,000
Arts for the handicapped (604-00-1000-0502).....\$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Local services reimbursement fund (604-00-2088).....No limit

Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts:
Provided further; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

General fees fund (604-00-2093).....No limit

Student activity

fees fund (604-00-2146).....No limit

Chapter I handicapped FDF – federal fund (604-00-3039).....	No limit
Special education state grants – federal fund (604-00-3234).....	No limit
School breakfast program – federal fund (604-00-3529).....	No limit
Federal school lunch – federal fund (604-00-3530).....	No limit
Child and adult care food program – federal fund (604-00-3531).....	No limit
Safe schools – federal fund (604-00-3569).....	No limit
Deaf-blind project – federal fund (604-00-3583).....	No limit
Summer food service program – federal fund (604-00-3591).....	No limit
ESSER II federal fund (604-00-3638).....	No limit
American rescue plan-state relief – federal fund (604-00-3756).....	No limit
Education improvement – federal fund (604-00-3898).....	No limit
Gift fund (604-00-7329-5100).....	No limit
Special bequest fund (604-00-7333).....	No limit

(c) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to submit a status report on or before January 31, 2025, to the senate committee on education and the house of representatives committee on K-12 budget detailing the early childhood program and the agency's ability to transition the program to self-sufficient funding.

Sec. 93.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (610-00-1000-0303).....	\$38,221
Language assessment program (610-00-1000-0500).....	\$380

Sec. 94.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (610-00-1000-0303).....	\$11,159,819
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Language assessment program.....	\$387,565
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Provided, That any unencumbered balance in the language assessment program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Local services reimbursement fund (610-00-2091-2200).....No limit

Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

General fees fund (610-00-2094).....No limit

Student activity fees fund (610-00-2147).....No limit

Language assessment fee fund (610-00-2891).....No limit

Provided, That expenditures shall be made from the language assessment fee fund for operating expenditures to implement a fee-for-service model to fund the implementation of a language assessment program for children ages three through eight: *Provided further*, That the above agency is hereby authorized to fix, charge and collect fees from unified school districts, special education cooperatives and interlocals to fund the operations of the language assessment program authorized pursuant to K.S.A. 75-5397e, and amendments thereto: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the language assessment fee fund: *And provided further*, That all expenditures from the language assessment fee fund shall be only for the operations of the language assessment program.

Special education state grants – federal fund (610-00-3234).....No limit

Universal newborn screening – federal fund (610-00-3459).....No limit

School breakfast program – federal fund (610-00-3529).....No limit

School lunch program – federal fund (610-00-3530).....No limit

Special education preschool grants – federal fund (610-00-3535).....No limit

Summer food service program – federal fund (610-00-3591).....No limit

Elementary and secondary school emergency relief – federal fund (610-00-3638).....No limit

COVID-19 federal relief fund – federal fund (610-00-3649).....No limit

American rescue plan – state relief – federal fund (604-00-3756).....No limit

Special bequest fund (610-00-7321).....	No limit
Gift fund (610-00-7330).....	No limit
Special workshop fund (610-00-7504).....	No limit

Sec. 95.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (288-00-1000-0083).....	\$28,394
Shawnee Mission roofs replacement (288-00-1000).....	\$350,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Native American graves protection and repatriation fund (288-00-3903-3903).....	No limit
American rescue plan – state fiscal relief – federal fund (288-00-3756).....	No limit

(c) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the operating expenditures account (288-00-1000-0083) as authorized by section 98(a) of chapter 82 of the 2023 Session Laws of Kansas, this or any other appropriation act of the 2024 regular session of the legislature, the above agency may make expenditures from such moneys in an amount of not to exceed \$1,750 for official hospitality.

(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the historic preservation overhead fees fund (288-00-2916-2380) as authorized by section 98(b) of chapter 82 of the 2023 Session Laws of Kansas, this or any other appropriation act of the 2024 regular session of the legislature, the above agency may make expenditures from such moneys in an amount of not to exceed \$1,000 for official hospitality.

(e) On the effective date of this act, the expenditure limitation for state operations established for the fiscal year ending June 30, 2024, by section 98(b) of chapter 82 of the 2023 Session Laws of Kansas on the heritage trust fund (288-00-7379-7600) of the state historical society is hereby increased from \$100,000 to \$111,083.

Sec. 96.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (288-00-1000-0083).....	\$4,652,354
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Humanities Kansas (288-00-1000-0600).....	\$50,501
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

General fees fund (288-00-2047-2300).....No limit
Archeology fee fund (288-00-2638-2350).....No limit

Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and
equipment fund (288-00-2436-2700).....No limit
Microfilm fees fund (288-00-2246-2370).....No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund (288-00-2132-2100).....No limit

Provided, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records.

Historic properties fee fund (288-00-2164-2310).....No limit
Historic preservation overhead

fees fund (288-00-2916-2380).....No limit
Provided, That expenditures from the historic preservation overhead fees fund for official hospitality shall not exceed \$1,000.

National historic preservation act
fund – local (288-00-3089-3000).....No limit

Private gifts, grants and
bequests fund (288-00-7302-7000).....No limit

Museum and historic sites visitor
donation fund (288-00-2142-2250).....No limit

Insurance collection replacement/
reimbursement fund (288-00-2182-2320).....No limit

Heritage trust fund (288-00-7379-7600).....No limit

Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$119,401.

Land survey fee fund (288-00-2234-2330).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2025 for operating expenditures that are not related to administering the land survey program.

National trails fund (288-00-3553-3353).....	No limit
Native American graves protection and repatriation fund (288-00-3903-3903).....	No limit
American rescue plan – state fiscal relief – federal fund (288-00-3756).....	No limit
State historical society facilities fund (288-00-2192-2420).....	No limit
Historic properties fund (288-00-2144-2400).....	No limit
Law enforcement memorial fund (288-00-7344-7300).....	No limit
Highway planning/ construction fund (288-00-3333-3333).....	No limit
Save America's treasures fund (288-00-3923-4000).....	No limit
Archeology federal fund (288-00-3083-3110).....	No limit
Property sale proceeds fund (288-00-2414-2500).....	No limit

Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

National endowment for the
humanities fund (288-00-3925-3925).....No limit

(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2025, as authorized by this or other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2025 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however*; That such admission fees may be increased by the above agency during fiscal year 2025 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further*; That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses.

Sec. 97.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (246-00-1000-0013).....	\$163,543
Master's-level nursing capacity (246-00-1000-0100).....	\$599
Kansas wetlands education center at	

Cheyenne bottoms (246-00-1000-0200).....	\$981
Kansas academy of math and science (246-00-1000-0300).....	\$2,459
Sec. 98.	

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including official hospitality) (246-00-1000-0013).....\$38,488,795

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Regional stabilization.....\$3,000,000

Master's-level

nursing capacity (246-00-1000-0100).....\$144,495

Provided, That any unencumbered balance in the master's-level nursing capacity account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas wetlands education center at

Cheyenne bottoms (246-00-1000-0200).....\$270,324

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas academy of math

and science (246-00-1000-0300).....\$771,989

Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Western Kansas nursing workforce

development instruction.....\$400,000

Telehealth certification for mental

health providers.....\$250,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (246-00-5185-5050).....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (246-00-2035-2000).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (246-00-2510-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; capital improvements; performing arts center services; farm income; choral music clinic; yearbook; off-

campus tours; memorial union activities; student activity (unallocated); tiger media; conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further,* That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act –

- federal fund (246-00-3394-3500).....No limit
- Service clearing fund (246-00-6000).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

- Commencement fees fund (246-00-2511-2050).....No limit
- Health fees fund (246-00-5101-5000).....No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

- Student union fees fund (246-00-5102-5010).....No limit

Provided, That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study

- program fund (246-00-2548-2060).....No limit

Economic opportunity act –

- federal fund (246-00-3034-3000).....No limit

Faculty of distinction

- matching fund (246-00-2471-2400).....No limit

Nine month payroll clearing

account fund (246-00-7709-7060).....	No limit
Federal Perkins student	
loan fund (246-00-7501-7050).....	No limit
Housing system	
revenue fund (246-00-5103-5020).....	No limit
<i>Provided</i> , That expenditures may be made from the housing system revenue fund for official hospitality.	
Institutional overhead fund (246-00-2900-2070).....	No limit
Oil and gas royalties fund (246-00-2036-2010).....	No limit
Housing system	
suspense fund (246-00-5707-5090).....	No limit
Sponsored research	
overhead fund (246-00-2914-2080).....	No limit
Kansas distinguished	
scholarship fund (246-00-7204-7000).....	No limit
Temporary deposit fund (246-00-9013-9400).....	No limit
Federal receipts	
suspense fund (246-00-9105-9410).....	No limit
Suspense fund (246-00-9134-9420).....	No limit
Mandatory retirement annuity	
clearing fund (246-00-9136-9430).....	No limit
Voluntary tax shelter annuity	
clearing fund (246-00-9163-9440).....	No limit
Agency payroll deduction	
clearing fund (246-00-9197-9450).....	No limit
Pre-tax parking	
clearing fund (246-00-9220-9200).....	No limit
University payroll fund (246-00-9800).....	No limit
University federal fund (246-00-3141-3140).....	No limit
<i>Provided</i> , That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: <i>Provided further</i> ; That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.	
Coronavirus relief federal fund (246-00-3753).....	No limit
Governor's emergency education	
relief fund (246-00-3638).....	No limit
American rescue plan – state fiscal relief –	
federal fund (246-00-3756).....	No limit
(c) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund (246-00-2035-2000) to the federal Perkins student loan fund (246-00-7501-7050).	

Sec. 99.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including	
official hospitality) (367-00-1000-0003).....	\$367,575
Global food systems (367-00-1000-0190).....	\$10,876
Kansas state university	
polytechnic campus (including	
official hospitality) (367-00-1000-0150).....	\$57,328

Sec. 100.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including	
official hospitality) (367-00-1000-0003).....	\$108,299,198

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Midwest institute for comparative stem	
cell biology (367-00-1000-0170).....	\$127,178

Provided, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Global food systems (367-00-1000-0190).....	\$5,077,825
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Provided, That unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That all moneys in the global food systems account expended for fiscal year 2025 shall be matched by Kansas state university on a \$1-for-\$1 basis from other moneys of Kansas state university: *And provided further*; That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2025.

Kansas state university Salina (including	
official hospitality) (367-00-1000-0150).....	\$9,271,124

Provided, That any unencumbered balance in the Kansas state university polytechnic campus (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated to the Kansas state university Salina (including official hospitality) account for fiscal year 2025.

Kansas state university college of aviation jet.....	\$1,200,000
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Provided further; That expenditures shall be made from this account for fiscal year 2025 for the shared lease or ownership, insurance, maintenance and operations of a jet-type aircraft for student training purposes.

Biomanufacturing institute (367-00-1000-0200).....	\$5,000,000
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Provided, That any unencumbered balance in the biomanufacturing institute account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025; *Provided further*; That all expenditures for the biomanufacturing institute shall require a

match of local nonstate or private moneys on a \$1-for-\$1 basis.

Central immersive training hub.....\$3,950,000

Provided, That all expenditures shall be made by the above agency from the central immersive training hub account for the central immersive training hub at the Kansas state university Salina campus.

Kansas state university ag

innovation initiative (561-00-1000).....\$25,000,000

Provided, That all expenditures from such account shall require a match of nonstate or private moneys on a \$1-for-\$1 basis: *Provided, however*; That no federal grants may be used for such match.

Biosecurity research.....\$2,200,000

Water wide institute.....\$5,000,000

Provided, That expenditures shall be made by the above agency from such account to submit a plan and report on the goals, accomplishments and return on investment regarding the state's vital interests in water quality and quantity to the house of representatives committee on appropriations, the senate committee on ways and means and the governor on or before January 13, 2025.

Pure imagination facility (Kansas

advanced immersive research

for emerging systems center).....\$3,100,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (367-00-5181).....No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking improvements.

Faculty of distinction

matching fund (367-00-2472-2500).....No limit

General fees fund (367-00-2062-2000).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*; That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund (367-00-7100-7200).....No limit

Restricted fees fund (367-00-2520-2080).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts:

Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; Kansas state university Salina; motor pool; music; professorships; student activities fees; biology sales and services; chemistry; field camps; physics storeroom; sponsored research, sponsored instruction, sponsored public service, equipment and facility grants; contract-post office; library collections; sponsored construction or improvement projects; attorney, educational and personal development, human capital services; student financial assistance; application for undergraduate programs; speech and hearing; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; auditorium receipts; catalog sales; interagency consulting; sales and services of

educational programs; transcript fees; facility use fees; college of health and human sciences storeroom; college of health and human sciences sales; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; printing; short courses and conferences; student government association receipts; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; Marlatt memorial park; departmental student organization receipts; other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further,* That expenditures may be made from this fund for official hospitality.

Kansas career work study

 program fund (367-00-2540-2090).....No limit
 Service clearing fund (367-00-6003-7000).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research

 overhead fund (367-00-2901-2160).....No limit

Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system

 suspense fund (367-00-5708-4830).....No limit
 Housing system operations fund (367-00-5163).....No limit

Provided, That expenditures may be made from the housing system operations fund for official hospitality.

State emergency fund –

 building repair (367-00-2451-2451).....No limit

Housing system repair, equipment and

improvement fund (367-00-5641-4740).....	No limit
Coliseum system repair, equipment and improvement fund (367-00-5642-4750).....	No limit
Mandatory retirement annuity clearing fund (367-00-9137-9310).....	No limit
Student health fees fund (367-00-5109-4410).....	No limit
<i>Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.</i>	
Scholarship funds fund (367-00-7201-7210).....	No limit
Perkins student loan fund (367-00-7506-7260).....	No limit
Federal award advance payment – U.S. department of education awards fund (367-00-3855-3350).....	No limit
State agricultural university fund (367-00-7400-7250).....	No limit
Salina – student union fees fund (367-00-5114-4420).....	No limit
Salina – housing system revenue fund (367-00-5117-4430).....	No limit
Salina – housing system suspense fund (367-00-5724-4890).....	No limit
Kansas comprehensive grant fund (367-00-7223-7300).....	No limit
Temporary deposit fund (367-00-9020-9300).....	No limit
Business procurement card clearing fund (367-00-9102-9400).....	No limit
Suspense fund (367-00-9146-9320).....	No limit
Voluntary tax shelter annuity clearing fund (367-00-9164-9330).....	No limit
Agency payroll deduction clearing fund (367-00-9186-9360).....	No limit
Pre-tax parking clearing fund (367-00-9221-9200).....	No limit
Salina student life center revenue fund (367-00-5111-5120).....	No limit
Child care facility revenue fund (367-00-5125-5101).....	No limit
University federal fund (367-00-3142).....	No limit
Animal health research fund (367-00-2053-2053).....	No limit
National bio agro-defense facility fund (367-00-2058-2058).....	No limit
<i>Provided, That all expenditures from the national bio agro-defense facility fund shall be approved by the president of Kansas state university.</i>	
Kan-grow engineering fund – KSU (367-00-2154-2154).....	No limit

Payroll clearing fund (367-00-9801-9000).....	No limit
Fed ext emp clearing fund – employee deduct (367-00-9182-9340).....	No limit
Fed ext emp clearing fund – employer deduct (367-00-9183-9350).....	No limit
Temp dep fund external source (367-00-9065-9305).....	No limit
Nine month payroll clearing fund (367-00-7710-7270).....	No limit
Interest bearing grants fund (367-00-2630-2630).....	No limit
<i>Provided, That, on or before the 10th day of each month commencing during fiscal year 2025, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.</i>	
Student union renovation expansion revenue fund (367-00-5191-4650).....	No limit
Coronavirus relief federal fund (367-00-3753).....	No limit
Governor's emergency education relief fund (367-00-3638).....	No limit
American rescue plan – state fiscal relief – federal fund (367-00-3756).....	No limit

Sec. 101.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Cooperative extension service (including official hospitality) (369-00-1000-1020).....	\$78,486
Agricultural experiment stations (including official hospitality) (369-00-1000-1030).....	\$136,327
Wildfire suppression/state forest service (369-00-1000-1040).....	\$4,498

Sec. 102.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Cooperative extension service (including official hospitality) (369-00-1000-1020).....	\$18,245,983
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Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: Provided further, That during the fiscal year ending June 30, 2025, expenditures shall be made by the above agency from such moneys available in such account in an amount of not less than \$5,000,000 for the KSU 105 project.

Agricultural experiment stations (including official hospitality) (369-00-1000-1030).....	\$33,742,926
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Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Wildfire suppression/state forest service (369-00-1000-1040).....\$683,573

Provided, That any unencumbered balance in the wildfire suppression/state forest service account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund (369-00-2697-1100).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2025: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund (369-00-2263-1150).....No limit

Sponsored research
overhead fund (369-00-2921-1200).....No limit

Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal awards – advance
payment fund (369-00-3872-1360).....No limit

Smith-Lever special program grant –
federal fund (369-00-3047-1330).....No limit

Faculty of distinction	
matching fund (369-00-2479-1190).....	No limit
Agricultural land	
use-value fund (369-00-2364-1180).....	No limit
University federal fund (369-00-3144).....	No limit
Coronavirus relief federal fund (369-00-3753).....	No limit
American rescue plan – state fiscal relief –	
federal fund (369-00-3756).....	No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2025, the following:

Agricultural experiment	
stations (369-00-1900-1900).....	\$329,048

Sec. 103.

KANSAS STATE UNIVERSITY
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including	
official hospitality) (368-00-1000-5003).....	\$39,868
Operating enhancement (368-00-1000-5023).....	\$24,520

Sec. 104.

KANSAS STATE UNIVERSITY
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including	
official hospitality) (368-00-1000-5003).....	\$10,953,116

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Operating enhancement (368-00-1000-5023).....	\$5,396,434
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Provided, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for	
rural Kansas (368-00-1000-5013).....	\$650,000

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (368-00-2129-5500).....	No limit
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Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund (including
 official hospitality) (368-00-5160-5300).....No limit

Faculty of distinction
 matching fund (368-00-2478-5220).....No limit

Restricted fees fund (368-00-2590-5530).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; departmental student organization receipts; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund for official hospitality.

Health professions student
 loan fund (368-00-7521-5710).....No limit

University federal fund (368-00-3143-5140).....No limit

Coronavirus relief federal fund (368-00-3753).....No limit

Governor's emergency education
 relief fund (368-00-3638).....No limit

American rescue plan – state fiscal relief –
 federal fund (368-00-3756).....No limit

(c) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund (368-00-2129-5500) to the health professions student loan fund (368-00-7521-5710).

Sec. 105.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including
 official hospitality) (379-00-1000-0083).....\$144,186

Nat'l board cert/future
 teacher academy (379-00-1000-0200).....\$621

Sec. 106.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including official hospitality) (379-00-1000-0083).....\$36,002,066

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Regional stabilization.....\$3,000,000

Nat'l board cert/future teacher academy (379-00-1000-0200).....\$325,371

Provided, That any unencumbered balance in the nat'l board cert/future teacher academy account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: Provided further, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

SMaRT Kansas 21 (379-00-1000-0500).....\$510,000

Provided, That any unencumbered balance in the SMaRT Kansas 21 account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Cybersecurity academic programming center (379-00-1000-0600).....\$1,100,000

Provided, That any unencumbered balance in the cybersecurity academic programming center account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Emporia state university student affordability (561-00-1000).....\$8,100,000

Provided, That all expenditures from such account shall be used to eliminate the student fee of \$125.12 per semester for full-time, on-campus students and \$14.83 per credit hour for part-time students for memorial union debt: Provided, however, That during the fiscal year ending June 30, 2025, the above agency or Emporia state university shall not increase any other student fees to offset the revenue reduction from the elimination of such student fee.

Emporia state model investment account (379-00-1000-0400).....\$9,000,000

Any unencumbered balance in the Emporia state model investment account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (379-00-5186).....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (379-00-2069-2010).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: Provided further, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund (379-00-7101-7000).....No limit

Restricted fees fund (379-00-2526-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts:

Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); capital improvements; business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*; That expenditures may be made from the restricted fees fund for official hospitality.

- Service clearing fund (379-00-6004).....No limit
Provided, That the service clearing fund shall be used for the following service activities: Telecommunications services; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.
- Commencement fees fund (379-00-2527-2050).....No limit
- Kansas career work study
 program fund (379-00-2549-2060).....No limit
- Student health fees fund (379-00-5115-5010).....No limit
Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.
- Faculty of distinction
 matching fund (379-00-2473-2400).....No limit
- Bureau of educational
 measurements fund (379-00-5118-5020).....No limit
- National direct student
 loan fund (379-00-7507-7040).....No limit
- Economic opportunity act – work study –
 federal fund (379-00-3128-3000).....No limit
- Educational opportunity grants –
 federal fund (379-00-3129-3010).....No limit

Basic opportunity grant program – federal fund (379-00-3130-3020).....	No limit
Research and institutional overhead fund (379-00-2902-2070).....	No limit
Kansas comprehensive grant fund (379-00-7224-7060).....	No limit
Housing system suspense fund (379-00-5701-5130).....	No limit
Housing system operations fund (379-00-5169-5050).....	No limit
Kansas distinguished scholarship fund (379-00-2762-2700).....	No limit
University federal fund (379-00-3145).....	No limit
<i>Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.</i>	
Twin towers project revenue fund (379-00-5120-5030).....	No limit
Nine month payroll clearing fund (379-00-7712-7050).....	No limit
Temporary deposit fund (379-00-9022-9510).....	No limit
Federal receipts suspense fund (379-00-9085-9520).....	No limit
Suspense fund (379-00-9021).....	No limit
Mandatory retirement annuity clearing fund (379-00-9138-9530).....	No limit
Voluntary tax shelter annuity clearing fund (379-00-9165-9540).....	No limit
Agency payroll deduction clearing fund (379-00-9196-9550).....	No limit
Pre-tax parking clearing fund (379-00-9222-9200).....	No limit
University payroll fund (379-00-9802).....	No limit
Leveraging educational assistance partnership federal fund (379-00-3224-3200).....	No limit
National direct student loan fund (379-00-7507-7040).....	No limit
Student union refurbishing fund (379-00-5161-5040).....	No limit
Housing system repairs, equipment and improvement fund (379-00-5650-5120).....	No limit
Coronavirus relief federal fund (379-00-3753).....	No limit
Governor's emergency education relief fund (379-00-3638).....	No limit
American rescue plan – state fiscal relief – federal fund (379-00-3756).....	No limit
Sec. 107.	

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (385-00-1000-0063).....	\$171,235
School of construction (385-00-1000-0200).....	\$2,657
Polymer science program (385-00-1000-0300).....	\$3,150

Sec. 108.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including official hospitality) (385-00-1000-0063).....	\$38,601,222
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Regional stabilization.....	\$3,000,000
School of construction (385-00-1000-0200).....	\$788,125
<i>Provided</i> , That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Polymer science program (385-00-1000-0300).....	\$1,050,236
<i>Provided</i> , That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Global center for STEM (385-00-1000-0260).....	\$2,000,000
<i>Provided</i> , That any unencumbered balance in the global center for STEM account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Center for emerging technologies (385-00-1000-0280).....	\$2,000,000
<i>Provided</i> , That any unencumbered balance in the center for emerging technologies account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	

Any unencumbered balance in the following account or accounts as of June 30, 2024, are hereby reappropriated for fiscal year 2025: NIMA manufacturing prove out facility (385-00-1000-0250).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (385-00-5187-5060).....	No limit
<i>Provided</i> , That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.	
General fees fund (385-00-2070-2010).....	No limit

Provided, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (385-00-2529-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services; capital improvements; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund (385-00-6005).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health

fees fund (385-00-5126-5010).....No limit

Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund (385-00-9024-9510).....No limit

Faculty of distinction

matching fund (385-00-2474-2400).....No limit

Perkins student loan fund (385-00-7509-7020).....No limit

Sponsored research

overhead fund (385-00-2903-2903).....No limit

College work study

federal fund (385-00-3498-3030).....No limit

Nursing student loan fund (385-00-7508-7010).....No limit

Housing system	
suspense fund (385-00-5703-5170).....	No limit
Housing system	
operations fund (385-00-5165-5050).....	No limit
Housing system repairs, equipment and	
improvement fund (385-00-5646-5160).....	No limit
Kansas comprehensive	
grant fund (385-00-7227-7200).....	No limit
Kansas career work study	
program fund (385-00-2552-2060).....	No limit
Nine month payroll	
clearing fund (385-00-7713-7030).....	No limit
Payroll clearing fund (385-00-9023-9500).....	No limit
Temporary deposit fund (385-00-9025-9520).....	No limit
Federal receipts	
suspense fund (385-00-9104-9530).....	No limit
BPC clearing fund (385-00-9109-9570).....	No limit
Mandatory retirement annuity	
clearing fund (385-00-9139-9540).....	No limit
Voluntary tax shelter annuity	
clearing fund (385-00-9166-9550).....	No limit
Agency payroll deduction	
clearing fund (385-00-9195-9560).....	No limit
Pre-tax parking	
clearing fund (385-00-9223-9200).....	No limit
University payroll fund (385-00-9803).....	No limit
University federal fund (385-00-3146).....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Overman student center	
renovation fund (385-00-2820-2820).....	No limit
Student health center	
revenue fund (385-00-2828-2851).....	No limit
Horace Mann building	
renovation fund (385-00-2833).....	No limit
Revenue 2014A fund (385-00-5106-5105).....	No limit
Nurse faculty loan program federal fund (385-00-3596-3596).....	No limit
Coronavirus relief federal fund (385-00-3753).....	No limit
Governor's emergency education	
relief fund (385-00-3638).....	No limit
American rescue plan – state fiscal relief –	
federal fund (385-00-3756).....	No limit

(c) During the fiscal year ending June 30, 2025, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$145,000 for all such amounts, from the general fees fund (385-00-

2070-2010) to the following specified funds and accounts of funds: Perkins student loan fund (385-00-7509-7020); nursing student loan fund (385-00-7508-7010); and nurse faculty loan program federal fund (385-00-3596-3596).

Sec. 109.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including	
official hospitality) (682-00-1000-0023).....	\$648,260
Geological survey (682-00-1000-0170).....	\$24,911
Umbilical cord	
matrix project (682-00-1000-0370).....	\$328

Sec. 110.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including	
official hospitality) (682-00-1000-0023).....	\$149,749,825
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including	
official hospitality) account in excess of \$100 as of June 30, 2024, is hereby	
reappropriated for fiscal year 2025.	
Geological survey (682-00-1000-0170).....	\$9,084,255

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2025, expenditures shall be made by the above agency from such fund for fiscal year 2025 for seismic surveys in an amount of not less than \$100,000.

Umbilical cord	
matrix project (682-00-1000-0370).....	\$151,245

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities	
revenue fund (682-00-5175-5070).....	No limit
<i>Provided</i> , That expenditures may be made from the parking facilities revenue fund	
for capital improvement projects for parking improvements.	
Faculty of distinction	
matching fund (682-00-2475-2500).....	No limit
General fees fund (682-00-2107-2000).....	No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund (682-00-7103-7000).....	No limit
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Sponsored research
overhead fund (682-00-2905-2160).....No limit

Law enforcement training
center fund (682-00-2133-2020).....No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program: *Provided further*, That expenditures may be made from the law enforcement training center fund for the acquisition of tracts of land.

Law enforcement training center
fees fund (682-00-2763-2700).....No limit

Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund (682-00-2545).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; capital improvements; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund (682-00-6006).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund (682-00-5136-5030).....No limit

Kansas career work study	
program fund (682-00-2534-2050).....	No limit
Student union fund (682-00-5137-5040).....	No limit
Federal Perkins loan fund (682-00-7512-7040).....	No limit
Health professions student	
loan fund (682-00-7513-7050).....	No limit
Housing system	
suspense fund (682-00-5704-5150).....	No limit
Housing system	
operations fund (682-00-5142-5050).....	No limit
Housing system repairs, equipment and	
improvement fund (682-00-5621-5110).....	No limit
Educational opportunity act –	
federal fund (682-00-3842-3020).....	No limit
Loans for disadvantaged	
students fund (682-00-7510-7100).....	No limit
Prepaid tuition fees	
clearing fund (682-00-7765).....	No limit
Kansas comprehensive	
grant fund (682-00-7226-7110).....	No limit
Fire service training fund (682-00-2123-2170).....	No limit
University federal fund (682-00-3147).....	No limit
Johnson county education research	
triangle fund (682-00-2393-2390).....	No limit
Temporary deposit fund (682-00-9061-9020).....	No limit
Suspense fund (682-00-9060-9010).....	No limit
BPC clearing fund (682-00-9119-9050).....	No limit
Mandatory retirement annuity	
clearing fund (682-00-9142-9030).....	No limit
Voluntary tax shelter annuity	
clearing fund (682-00-9167-9040).....	No limit
Agency payroll deduction	
clearing fund (682-00-9193-9060).....	No limit
Pre-tax parking clearing fund (682-00-9224-9200).....	No limit
University payroll fund (682-00-9806).....	No limit
GTA/GRA emp health insurance	
clearing fund (682-00-9063-9070).....	No limit
Standard water data	
repository fund (682-00-2463-2463).....	No limit
Multicultural reser center	
construction fund (682-00-2890-2890).....	No limit
Kan-grow engineering	
fund – KU (682-00-2153-2153).....	No limit
Child care facility revenue	
bond fund (682-00-2372).....	No limit
Student recreation fitness center	
KDFA fund (682-00-2864-2860).....	No limit

Student union renovation	
revenue fund (682-00-5171-5060).....	No limit
Parking facility K DFA 1993G	
revenue fund (682-00-5175-5070).....	No limit
Student health facility	
maintenance, repair and equipment	
fee fund (682-00-5640-5120).....	No limit
Coronavirus relief federal fund (682-00-3753).....	No limit
Governor's emergency education	
relief fund (682-00-3638).....	No limit
American rescue plan state	
relief fund (682-00-3756-3536).....	No limit
University of Kansas and	
Wichita state university health	
collaboration fund (682-00-2878-2878).....	No limit
University of Kansas ARPA health	
collaboration fund (682-00-3756).....	No limit

(c) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund (682-00-2107-2000) to the following specified funds and accounts of funds: Federal Perkins loan fund (682-00-7512-7040); educational opportunity act – federal fund (682-00-3842-3020); university federal fund (682-00-3147-3140); health professions student loan fund (682-00-7513-7050); loans for disadvantaged students fund (682-00-7510-7100).

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2025, for the water plan project or projects specified, the following:

Geological survey (682-00-1800-1810).....	\$26,841
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the geological survey account is hereby reappropriated for fiscal year 2025.

Sec. 111.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including	
official hospitality) (683-00-1000-0503).....	\$422,218
Midwest stem cell	
therapy center (683-00-1000-0800).....	\$2,254

(b) On the effective date of this act, the \$30,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 112(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the rural health bridging psychiatry account (683-00-1000-1015) is hereby lapsed.

Sec. 112.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....\$111,397,185
Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans (683-00-1000-0600).....\$4,488,171
Provided, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Midwest stem cell therapy center (683-00-1000-0800).....\$775,607
Provided, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Rural health bridging (683-00-1000-1010).....\$140,000
Provided, That any unencumbered balance in the rural health bridging account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Medical scholarships and loans psychiatry (683-00-1000-0610).....\$970,000
Provided, That any unencumbered balance in the medical scholarships and loans psychiatry account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Rural health bridging psychiatry (683-00-1000-1015).....\$30,000
Provided, That any unencumbered balance in the rural health bridging psychiatry account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

OBGYN medical student loan (683-00-1000-0620).....\$943,000
Provided, That any unencumbered balance in the OBGYN medical student loan account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

OBGYN medical residency bridging loan (683-00-1000-0630).....\$30,000
Provided, That any unencumbered balance in the OBGYN medical residency bridge loan account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

University of Kansas medical center cancer research facility (561-00-1000).....\$75,000,000
Provided, That all expenditures from such account shall require a match of nonstate or private moneys on a \$1-for-\$1 basis: *Provided, however*; That no federal grants may be used for such match.

KUMC Wichita residency program.....\$750,000
Provided, That expenditures shall be made by the above agency from such account to the department of family and community medicine of the university of Kansas school of medicine Wichita, for use in the Smoky Hill family medicine residency program,

Wesley family medicine residency program and Ascension Via Christi family medicine residency program.

Any unencumbered balance in the following account or accounts as of June 30, 2024, are hereby reappropriated for fiscal year 2025: Health science center KUMed and WSU (683-00-1000-0810).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (683-00-2108-2500).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Midwest stem cell therapy center fund (683-00-2072-2072).....No limit

Faculty of distinction matching fund (683-00-2476-2400).....No limit

Restricted fees fund (683-00-2551).....No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; capital improvements; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund (683-00-2926).....No limit

Kansas breast cancer

research fund (683-00-2671-2660).....	No limit
Sponsored research	
overhead fund (683-00-2907-2800).....	No limit
Parking facility revenue fund –	
KC campus (683-00-5176-5550).....	No limit
<i>Provided,</i> That expenditures may be made from the parking facility revenue fund –	
KC campus for capital improvement projects for parking improvements.	
Parking fee fund –	
Wichita campus (683-00-5180-5590).....	No limit
<i>Provided,</i> That expenditures may be made from the parking fee fund – Wichita	
campus for capital improvement projects for parking improvements.	
Services to hospital	
authority fund (683-00-2915-2900).....	No limit
Direct medical education	
reimbursement fund (683-00-2918-3000).....	No limit
Service clearing fund (683-00-6007).....	No limit
<i>Provided,</i> That the service clearing fund shall be used for the following service	
activities: Printing services; purchasing storeroom; university motor pool; physical plant	
storeroom; photo services; telecommunications services; facilities operations	
discretionary repairs; animal care; instructional services; and such other internal service	
activities as are authorized by the state board of regents under K.S.A. 76-755, and	
amendments thereto.	
Educational nurse faculty loan	
program fund (683-00-7505-7540).....	No limit
Federal college work	
study fund (683-00-3256-3520).....	No limit
AMA education and	
research grant fund (683-00-7207-7500).....	No limit
Federal health professions/	
primary care student	
loan fund (683-00-7516-7560).....	No limit
Federal nursing student	
loan fund (683-00-7517-7570).....	No limit
Suspense fund (683-00-9057-9500).....	No limit
Federal student educational opportunity	
grant fund (683-00-3255-3510).....	No limit
Federal Pell grant fund (683-00-3252-3500).....	No limit
Federal Perkins student	
loan fund (683-00-7515-7550).....	No limit
Medical loan repayment fund (683-00-7214-7520).....	No limit
<i>Provided,</i> That expenditures from the medical loan repayment fund for attorney fees	
and litigation costs associated with the administration of the medical scholarship and	
loan program shall be in addition to any expenditure limitation imposed on the	
operating expenditures account of the medical loan repayment fund.	
Medical student loan programs provider	
assessment fund (683-00-2625-2650).....	No limit
Graduate medical education administration	

reserve fund (683-00-5652-5640).....	No limit
University of Kansas medical center	
private practice foundation	
reserve fund (683-00-5659-5660).....	No limit
Robert Wood Johnson	
award fund (683-00-7328-7530).....	No limit
Federal scholarship for disadvantaged	
students fund (683-00-3094-3100).....	No limit
Temporary deposit fund (683-00-9058-9510).....	No limit
Mandatory retirement annuity	
clearing fund (683-00-9143-9520).....	No limit
Voluntary tax shelter annuity	
clearing fund (683-00-9168-9530).....	No limit
Agency payroll deduction	
clearing fund (683-00-9194-9600).....	No limit
Pre-tax parking clearing fund (683-00-9225-9200).....	No limit
University payroll fund (683-00-9807).....	No limit
University federal fund (683-00-3148).....	No limit
Leveraging educational assistance partnership	
federal fund (683-00-3223-3200).....	No limit
Johnson county education research	
triangle fund (683-00-2394-2390).....	No limit
Psychiatry medical loan	
repayment fund (683-00-7233-7233).....	No limit
Rural health bridging	
psychiatry fund (683-00-2218-2218).....	No limit
Cancer center research (683-00-2551-2700).....	No limit
Graduate medical education	
reimbursement fund (683-00-2918-3050).....	No limit
Coronavirus relief federal fund (683-00-3753).....	No limit
Governor's emergency education	
relief fund (683-00-3638).....	No limit
Cancer research and public information	
trust fund (683-00-2925-2925).....	No limit
American rescue plan – state fiscal relief –	
federal fund (683-00-3756).....	No limit

(c) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund (683-00-2108-2500) to the following funds: Federal nursing student loan fund (683-00-7517-7570); federal student education opportunity grant fund (683-00-3255-3510); federal college work study fund (683-00-3256-3520); educational nurse faculty loan program fund (683-00-7505-7540); federal health professions/primary care student loan fund (683-00-7516-7560).

(d) During the fiscal year ending June 30, 2025, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the

university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

(e) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds of the above agency for fiscal year 2025 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys to review funding for the university of Kansas cancer center building, including, but not limited to, the need for additional state moneys to leverage private funding required for construction of such cancer center to advance and to submit a report on such agency's findings from such review to the legislature during the 2025 regular session of the legislature.

Sec. 113.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....\$331,338

Sec. 114.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....\$72,785,599

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Aviation research (715-00-1000-0015).....\$15,000,000

Provided, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That all moneys in the aviation research account expended for fiscal year 2025 shall be matched by Wichita state university on a \$1-for-\$1 basis from other moneys of Wichita state university: *And provided further*; That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2025.

Technology transfer facility (715-00-1000-0005).....\$2,000,000

Provided, That any unencumbered balance in the technology transfer account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Aviation infrastructure (715-00-1000-0010).....\$5,200,000

Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That during the fiscal year ending June 30, 2025, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2025 by Wichita state university by this or other appropriation act of the 2024 regular session of the

legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2025 may only be expended for training and equipment expenditures of the national center for aviation training.

Business partnership.....\$5,000,000

Any unencumbered balance in the following account or accounts as of June 30, 2024, are hereby reappropriated for fiscal year 2025: Health science center WSU (715-00-1000-0800).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (715-00-2112).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (715-00-2558).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); capital improvements; testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund (715-00-6008).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction

matching fund (715-00-2477-2400).....No limit

Kansas career work study	
program fund (715-00-2536-2020).....	No limit
Scholarship funds fund (715-00-7211-7000).....	No limit
Sponsored research	
overhead fund (715-00-2908-2080).....	No limit
Economic opportunity act –	
federal fund (715-00-3265-3100).....	No limit
Educational opportunity grant –	
federal fund (715-00-3266-3110).....	No limit
Nine month payroll clearing	
account fund (715-00-7717-7030).....	No limit
Pell grants federal fund (715-00-3366-3120).....	No limit
Housing system	
suspense fund (715-00-5705-5160).....	No limit
WSU housing system depreciation and	
replacement fund (715-00-5800-5260).....	No limit
National direct student	
loan fund (715-00-7519-7010).....	No limit
WSU housing systems	
revenue fund (715-00-5100-5250).....	No limit
WSU housing system	
surplus fund (715-00-5620-5270).....	No limit
University federal fund (715-00-3149-3140).....	No limit
<i>Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.</i>	
Center of innovation for biomaterials in	
orthopaedic research – Wichita state	
university fund (715-00-2750-2700).....	No limit
Kan-grow engineering	
fund – WSU (715-00-2155-2155).....	No limit
Aviation research fund (715-00-2052-2052).....	No limit
Temporary deposit fund (715-00-9059-9500).....	No limit
Suspense fund (715-00-9077).....	No limit
Mandatory retirement annuity	
clearing fund (715-00-9144-9520).....	No limit
Voluntary tax shelter annuity	
clearing fund (715-00-9169-9530).....	No limit
Agency payroll deduction	
clearing fund (715-00-9198-9400).....	No limit
Pre-tax parking	
clearing fund (715-00-9226-9200).....	No limit
Parking system project KDEFA bond	
revenue fund (715-00-5148-5000).....	No limit
Parking system project	
maintenance KDEFA revenue	

bond fund (715-00-5159-5040).....	No limit
Coronavirus relief federal fund (715-00-3753).....	No limit
Governor's emergency education relief fund (715-00-3638).....	No limit
American rescue plan state relief fund (715-00-3756-3536).....	No limit
Wichita state university and university of Kansas health collaboration fund (715-00-2878-2878).....	No limit
Wichita state university ARPA health collaboration fund (715-00-3756).....	No limit

Sec. 115.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (561-00-1000-0103).....	\$19,235
Adult basic education (561-00-1000-0900).....	\$110,000

Sec. 116.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (including official hospitality) (561-00-1000-0103).....	\$5,129,252
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That, during fiscal year 2025, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2025 by the state board of regents as authorized by this or other appropriation act of the 2024 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2025 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2025, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2025 by the state board of regents as authorized by this or other appropriation act of the 2024 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2025 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of

regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2025, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2025 by the state board of regents as authorized by this or other appropriation act of the 2024 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2025 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education

commission (561-00-1000-0250).....\$115,000

Provided, That any unencumbered balance in the midwest higher education commission account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Municipal university

operating grant (561-00-1000-1010).....\$14,270,000

Adult basic education (561-00-1000-0900).....\$1,567,031

Provided, That any unencumbered balance in the adult basic education account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Postsecondary tiered technical education

state aid (561-00-1000-0760).....\$62,497,184

Provided, That any unencumbered balance in the postsecondary tiered technical education state aid account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That, notwithstanding the provisions of K.S.A. 71-1801 through 71-1810, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such account to the following institutions in the following amounts: Allen community college, \$468,219; Barton community college, \$2,378,617; Butler community college, \$4,871,526; Cloud county community college, \$1,104,254; Coffeyville community college, \$896,120; Colby community college, \$1,289,625; Cowley community college, \$1,690,938; Dodge City community college, \$835,690; Flint Hills technical college, \$1,690,733; Fort Scott community college, \$1,252,873; Garden City community college, \$1,096,271; Highland community college, \$1,240,102; Hutchinson community college, \$5,678,652; Independence community college, \$231,473; Johnson county community college, \$7,946,290; Kansas City, Kansas community college, \$4,186,782; Labette community

college, \$913,025; Manhattan area technical college, \$1,863,454; Neosho county community college, \$1,292,805; north central Kansas technical college, \$2,923,117; northwest Kansas technical college, \$1,821,733; Pratt community college, \$1,076,289; Salina area technical college, \$1,567,891; Seward county community college, \$964,550; institute of technology at Washburn university, \$3,374,312; and Wichita state university campus of applied sciences and technology, \$9,841,843.

Non-tiered course credit

hour grant (561-00-1000-0550).....\$89,190,371

Provided, That any unencumbered balance in the non-tiered course credit hour grant account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That, notwithstanding the provisions of K.S.A. 71-1801 through 71-1810, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such account to the following institutions in the following amounts: Allen community college, \$3,626,540; Barton community college, \$7,419,334; Butler community college, \$13,456,130; Cloud county community college, \$2,787,882; Coffeyville community college, \$1,348,955; Colby community college, \$1,806,764; Cowley community college, \$3,629,632; Dodge City community college, \$1,607,526; Flint Hills technical college, \$796,086; Fort Scott community college, \$1,814,609; Garden City community college, \$2,100,189; Highland community college, \$3,882,267; Hutchinson community college, \$6,362,960; Independence community college, \$936,809; Johnson county community college, \$16,845,529; Kansas City, Kansas community college, \$4,961,771; Labette community college, \$1,947,929; Manhattan area technical college, \$750,543; Neosho county community college, \$2,007,817; north central Kansas technical college, \$880,971; northwest Kansas technical college, \$925,901; Pratt community college, \$1,454,752; Salina area technical college, \$856,673; Seward county community college, \$1,400,731; institute of technology at Washburn university, \$384,917; and Wichita state university campus of applied sciences and technology, \$5,197,154.

Technology equipment at community colleges and

Washburn university (561-00-1000-0500).....\$398,475

Provided, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Career technical education capital

outlay aid (561-00-1000-0310).....\$4,871,585

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the career technical education capital outlay aid account is hereby reappropriated for fiscal year 2025: *Provided further*; That all expenditures from such account shall require a local match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either a nonstate or private donation.

Tuition waivers (561-00-1000-1650).....\$700,000

Nursing faculty and supplies

grant program (561-00-1000-4130).....\$3,787,193

Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for

fiscal year 2025: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary educational institutions with accredited nursing programs from the nursing faculty and supplies grant program account for expansion of nursing faculty, laboratory supplies and tools for student success: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the postsecondary educational institution receiving the grant.

Tuition for technical education (561-00-1000-0120).....\$43,150,000

Provided, That, any unencumbered balance in the tuition for technical education account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2025, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2025 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a high school equivalency (HSE) credential using the accelerating opportunity program and for the postsecondary education institution to provide a transcript to each student who completes such technical education course: *And provided further*, That such expenditures shall be in an amount of not less than \$500,000: *And provided further*, That during the fiscal year ending June 30, 2025, not later than 60 days following the class start date, expenditures shall be made by the above agency from such account for tuition reimbursement.

Community colleges' and technical colleges'

cybersecurity and IT infrastructure (561-00-1000-0860).....\$6,500,000

Provided, That any unencumbered balance in the community colleges' and technical colleges' cybersecurity and IT infrastructure account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That all expenditures from the community colleges' and technical colleges' cybersecurity and IT infrastructure account shall be made to provide to each community college, technical college and Washburn institute of technology \$250,000.

Universities' IT infrastructure and

cybersecurity (561-00-1000-0330).....\$7,500,000

Washburn ensuring pathways to

student success (561-00-1000-0455).....\$1,037,700

Provided, That any unencumbered balance in the Washburn ensuring pathways to student success account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Washburn university manufacturing

training center.....\$3,000,000

NISS academic playbook (561-00-1000-0140).....\$8,500,000

Provided, That any unencumbered balance in the NISS academic playbook account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas state university animal

diagnostic laboratory.....\$250,000

Fort Hays state university professional

workforce development.....\$750,000

Comprehensive grant program (561-00-1000-4500).....\$5,000,000

Provided, That all expenditures from the comprehensive grant program account for fiscal year 2025, including expenditures of the moneys appropriated in section 116(a) of chapter 82 of the 2023 Session Laws of Kansas, shall be made by the above agency in a manner that distributes 50% of such moneys to state educational institutions as defined in K.S.A. 76-711, and amendments thereto, and Washburn university and 50% to not-for-profit independent institutions of higher education that are defined as a Kansas educational institution under K.S.A. 74-32,120, and amendments thereto.

Community college capital outlay aid.....\$5,000,000

Provided, That all expenditures from the community college capital outlay aid account shall be distributed to any community college not eligible for career technical education capital outlay aid in K.S.A. 74-32,413(c), and amendments thereto, based upon the number of technical education full-time equivalent students at each community college in academic year 2023.

Technical colleges operating grants (561-00-1000-0150).....\$10,500,000

Provided, That any unencumbered balance in the technical colleges operating grants account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Two-year college business/industry and

apprenticeship act.....\$14,300,000

Provided, all expenditures from the two-year college business/industry and apprenticeship act account shall be distributed to the community colleges and technical colleges to be used for the development of apprenticeships, business and industry outreach and development of programing to meet the emerging needs of Kansas businesses: *Provided further*; That expenditures shall be made by the above agency from such account to the following institutions in the following amounts: Allen community college, \$379,013; Barton community college, \$957,062; Butler community college, \$1,375,757; Cloud county community college, \$308,397; Coffeyville community college, \$345,267; Colby community college, \$313,084; Cowley community college, \$531,493; Dodge City community college, \$385,574; Flint Hills technical college, \$201,536; Fort Scott community college, \$335,581; Garden City community college, \$464,627; Highland community college, \$465,564; Hutchinson community college, \$1,027,678; Independence community college, \$191,225; Johnson County community college, \$2,930,553; Kansas City, Kansas community college, \$911,131; Labette community college, \$264,028; Manhattan area technical college, \$152,480; Neosho county community college, \$307,460; north central Kansas technical college, \$197,474; northwest Kansas technical college, \$165,603; Pratt community college, \$275,589; Salina area technical college, \$169,040; Seward county community college, \$320,271; institute of technology at Washburn university, \$310,897; and Wichita state university campus of applied sciences and technology, \$1,013,617.

Two-year college student success initiatives.....\$17,500,000

Provided, That all expenditures from the two-year college student success initiatives account shall be distributed to the community colleges and technical colleges to be used for the development and implementation of initiatives that increase student success: *Provided further*; That expenditures shall be made by the above agency from such account to the following institutions in the following amounts: Allen community college, \$463,827; Barton community college, \$1,171,230; Butler community college,

\$1,683,619; Cloud county community college, \$377,409; Coffeyville community college, \$422,530; Colby community college, \$383,145; Cowley community college, \$650,428; Dodge City community college, \$471,857; Flint Hills technical college, \$246,635; Fort Scott community college, \$410,676; Garden City community college, \$568,599; Highland community college, \$569,746; Hutchinson community college, \$1,257,648; Independence community college, \$234,017; Johnson County community college, \$3,586,341; Kansas City, Kansas community college, \$1,115,020; Labette community college, \$323,111; Manhattan area technical college, \$186,601; Neosho county community college, \$376,262; north central Kansas technical college, \$241,664; northwest Kansas technical college, \$202,661; Pratt community college, \$337,259; Salina area technical college, \$206,868; Seward county community college, \$391,939; institute of technology at Washburn university, \$380,468; and Wichita state university campus of applied sciences and technology, \$1,240,441.

Osteopathic service scholarship.....\$2,200,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship	
repayment fund (561-00-7216-6300).....	No limit
KAN-ED services fee fund (561-00-2814-2814).....	No limit
Earned indirect costs	
fund – federal (561-00-3642-3600).....	No limit
Faculty of distinction	
program fund (561-00-7200-7050).....	No limit
Paul Douglas teacher scholarship	
fund – federal (561-00-3879-3950).....	No limit
GED credentials processing	
fees fund (561-00-2151-2100).....	No limit
Tuition waiver gifts, grants and	
reimbursements fund (561-00-7230-7230).....	No limit
Adult basic education –	
federal fund (561-00-3042-3000).....	No limit
Truck driver training fund (561-00-2172-4900).....	No limit
State scholarship discontinued	
attendance fund (561-00-7213-6100).....	No limit
Kansas ethnic minority fellowship	
program fund (561-00-7238-7600).....	No limit
Private postsecondary educational institution degree	
authorization expense reimbursement	
fee fund (561-00-2643-3300).....	No limit
Nursing service scholarship	
program fund (561-00-7220-6800).....	No limit
Clearing fund (561-00-9029-9100).....	No limit
Conversion of materials and	
equipment fund (561-00-2433-3200).....	No limit
Motorcycle safety fund (561-00-2366-2360).....	No limit

Financial aid services	
fee fund (561-00-2280-2800).....	No limit
<i>Provided</i> , That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: <i>Provided further</i> , That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: <i>And provided further</i> , That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: <i>And provided further</i> , That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.	
Inservice education workshop	
fee fund (561-00-2266).....	No limit
Optometry education	
repayment fund (561-00-7203-7100).....	No limit
Teacher scholarship	
repayment fund (561-00-7205-7200).....	No limit
Nursing service scholarship	
repayment fund (561-00-7210-7400).....	No limit
Nurse educator service scholarship	
repayment fund (561-00-7231-7300).....	No limit
ROTC service scholarship	
repayment fund (561-00-7232-7232).....	No limit
Carl D. Perkins vocational and technical education –	
federal fund (561-00-3539-3539).....	No limit
Kansas national guard	
educational assistance program	
repayment fund (561-00-7228-7000).....	No limit
Grants fund (561-00-2525-2500).....	No limit
Regents clearing fund (561-00-9052-9200).....	No limit
Private and out-of-state	
postsecondary educational institution	
fee fund (561-00-2614-2610).....	No limit
USAC E-rate program	
federal fund (561-00-3920-3920).....	No limit
Postsecondary education performance-based	
incentives fund (561-00-2777-2777).....	No limit
Private donations, gifts, grants	
bequest fund (561-00-7262-7700).....	No limit
Coronavirus relief federal fund (561-00-3753).....	No limit
Governor's emergency education	
relief fund (561-00-3638).....	No limit
Kansas high school equivalency credential	
processing fee fund (561-00-2832-2832).....	No limit

American rescue plan – state fiscal relief –
 federal fund (561-00-3756).....No limit
 Transportation research fund.....No limit
 Kansas adult learner grant program fund.....No limit

(c) During the fiscal year ending June 30, 2025, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2025, to another item of appropriation in an account of the state general fund for fiscal year 2025. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account" means any account of the state general fund of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university, Kansas state university Salina, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 for such state educational institution as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2025: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*, That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further*,

That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection at the beginning of the 2025 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2025, the following:

SEDIF – career technical education capital
outlay aid (561-00-1900-1950).....\$2,547,726

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the SEDIF – career technical education capital outlay aid account is hereby reappropriated for fiscal year 2025: *Provided further*; That expenditures from the SEDIF – career technical education capital outlay aid account for each grant of career technical education capital outlay aid shall require a local match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either a nonstate or private donation.

SEDIF – technology innovation and
internship program (561-00-1900-1960).....\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2025.

SEDIF – EPSCOR (561-00-1900-1970).....\$993,265

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2024, in the SEDIF – EPSCOR account is hereby reappropriated for fiscal year 2025.

Community and technical college
competitive grants (561-00-1900-1980).....\$500,000

Provided, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*; That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1-for-\$1 basis, from either the college or private industry partner, and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

(f) (1) In addition to the other purposes for which expenditures may be made by any postsecondary educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 for such postsecondary educational institution as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures may be made by such postsecondary educational institution from such moneys for fiscal year 2025 for the purpose of deeming any person who is enrolled as a member of the Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas, the Prairie Band Potawatomi Nation, the Iowa Tribe of Kansas, the Sac and Fox Nation of Missouri in Kansas and Nebraska or of indigenous nations with historical connections to Kansas territories named in this subsection, regardless of the residence of such person prior to admission at a postsecondary educational institution, as a resident of this state for the purpose of

tuition and fees for attendance at any postsecondary educational institution.

(2) As used in this subsection:

(A) "Postsecondary educational institution" means the same as defined in K.S.A. 74-3201b, and amendments thereto; and

(B) "indigenous nations with historical connections to Kansas territories" means any federally recognized tribe containing one or more references to the following tribal affiliations within such tribe's name: Apache, Arapaho, Caddo, Cheyenne, Cherokee, Chickasaw, Chippewa and Ojibwe (including Bay Mills), Choctaw, Comanche, Delaware, Iowa (Ioway and Baxoje), Kaw (Kanza), Kickapoo, Kiowa, Miami, Missouriia (including Otoe-Missouria), Modoc, Muscogee (Creek, including Yuchi, Euchee or Uchee), Nez Perce, Omaha, Oneida, Osage, Otoe, Ottawa (Odawa), Potawatomi (Pottawatomie), Pawnee, Peoria, Ponca, Pueblo, Quapaw, Sac and Fox (including Meskwaki), Seminole, Seneca-Cayuga, Shawnee, Stockbridge-Munsee (Mohican), Wichita and Affiliated Tribes (Wichita, Keechi, Waco and Tawakonie) and Wyandotte.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 for such agency as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by such agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 for the purposes of reviewing the United States supreme court ruling in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181 (2023) and determining whether the Kansas ethnic minority scholarship program, established in K.S.A. 74-3284 through 74-3289, and amendments thereto, is compliant with such ruling: *Provided*, That on or before January 24, 2025, the above agency shall submit a report on the agency's findings and any suggested statutory revisions to the house of representatives higher education budget committee and committee on appropriations and the senate committee on ways and means.

(h) Notwithstanding the provisions of the Kansas comprehensive grant program, K.S.A. 74-32,120 through 74-32,125, and amendments thereto, or the Kansas promise scholarship program, K.S.A. 74-32,272 through 74-32,278, and amendments thereto, and or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 for such agency as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by such agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 to allow Kansas students attending for-profit, private career technical schools or academies located in Kansas to be eligible to be awarded a grant pursuant to such grant programs during the fiscal year ending June 30, 2025, if such student is attaining a certification in advanced manufacturing or building trades at such for-profit, private school or academy: *Provided*, That such expenditures from such grant programs pursuant to this subsection shall be based on the number of qualifying students in the same proportional share as other qualifying students at not-for-profit independent institutions of higher education as described in K.S.A. 74-32,120, and amendments thereto.

Sec. 117.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2026, the following:

Fort Hays state university professional workforce development.....	\$750,000
State scholarship program (561-00-1000-4300).....	\$1,035,919

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 74-32,239, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program (561-00-1000-4500).....	\$40,258,338
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Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided further*, That all of such expenditures from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis: *And provided further*, That all expenditures from the comprehensive grant program account for fiscal year 2026 shall be made by the above agency in a manner that distributes 50% of such moneys to state educational institutions as defined in K.S.A. 76-711, and amendments thereto, and Washburn university and 50% to not-for-profit independent institutions of higher education that are defined as a Kansas educational institution under K.S.A. 74-32,120, and amendments thereto.

Ethnic minority scholarship program (561-00-1000-2410).....	\$296,498
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Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.

Kansas work-study program (561-00-1000-2000).....	\$546,813
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Provided, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships (561-00-1000-4600).....	\$175,335
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Provided, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.

Military service scholarships (561-00-1000-1310).....	\$500,314
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Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided further*, That all expenditures from the military service scholarships

account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program (561-00-1000-0800).....\$3,094,046

Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.

National guard educational assistance (561-00-1000-1300).....\$5,400,000

Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided further*, That moneys in the national guard educational assistance account represent and include the profits derived from the veterans benefit game pursuant to K.S.A. 74-8724, and amendments thereto.

Career technical workforce grant (561-00-1000-2200).....\$114,075

Provided, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.

Nursing student scholarship program (561-00-1000-4100).....\$417,255

Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.

Optometry education program (561-00-1000-1100).....\$107,089

Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.

Tuition waivers (561-00-1000-1650).....\$1,200,000

Provided, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-4364, and amendments thereto, or any other statute, the state board of regents may reimburse a Kansas educational institution as defined in K.S.A. 75-4364, and amendments thereto, for reimbursement claims of up to the amount of the appropriation available for such waivers in fiscal year 2026.

Nurse educator grant program (561-00-1000-4120).....\$188,126

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Governor's scholars program (561-00-1000-0950).....\$20,000

Provided, That any unencumbered balance in the governor's scholars program account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.

Kansas promise scholarship (561-00-1000-0960).....\$10,000,000

Provided, That any unencumbered balance in the Kansas promise scholarship program account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.

Computer science preservice

educator grant (561-00-1000-4700).....\$1,000,000
Provided, That any unencumbered balance in the computer science preservice educator grant account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026.
 Sec. 118.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (521-00-1000-0603).....	\$384,769
Treatment and programs –	
offender programs (521-00-1000-0151).....	\$113,244
Treatment and programs – medical and mental (521-00-1000-0152).....	\$2,146
Operating expenditures –	
juvenile services (521-00-1000-0103).....	\$19,525
Evidence-based programs (521-00-1000-0050).....	\$3,363
Topeka correctional facility –	
facilities operations (660-00-1000-0303).....	\$294,647
Hutchinson correctional facility –	
facilities operations (313-00-1000-0303).....	\$543,780
Lansing correctional facility –	
facilities operations (400-00-1000-0303).....	\$425,615
Ellsworth correctional facility –	
facilities operations (177-00-1000-0303).....	\$250,977
Winfield correctional facility –	
facilities operations (712-00-1000-0303).....	\$289,079
Norton correctional facility –	
facilities operations (581-00-1000-0303).....	\$252,628
El Dorado correctional facility –	
facilities operations (195-00-1000-0303).....	\$473,367
Larned correctional mental health facility –	
facilities operations (408-00-1000-0303).....	\$193,326
Kansas juvenile correctional complex –	
facilities operations (352-00-1000-0303).....	\$234,111
Facilities operations (521-00-1000-0303).....	\$878,309
Kansas penitentiary museum content development.....	\$75,000

Provided, That expenditures shall be made from the Kansas penitentiary museum content development account for content development in consultation with the Lansing historical society in pursuit of establishing the Kansas penitentiary museum.

(b) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 by section 118 of chapter 82 of the 2023 Session Laws of Kansas, section 50 of chapter 97 of the 2023 Session Laws of Kansas, this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purposes of executing an exclusive use agreement with the Lansing historical society for the administration and operation of a

museum located on Lansing correctional facility grounds for historical preservation and education: *Provided*, That such agreement shall include provisions granting the Lansing historical society the exclusive right of running tours in the old Lansing correctional facility and outlining roles, responsibilities and restrictions regarding such tours.

Sec. 119.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Evidence-based programs (521-00-1000-0050).....\$12,524,160

Provided, That any unencumbered balance in the evidence-based programs account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures may be made from this account to conduct research into, and development of, evidence-based practices to reduce offender behavior and recidivism among juveniles: *Provided, however*; That the expenditures for such research and development shall not exceed \$1,000,000: *And provided further*; That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the evidence-based programs account for the jobs for America's graduates-Kansas programs: *Provided, however*; That the expenditures for such programs shall not exceed \$3,500,000: *And provided further*; That expenditures shall be made by the above agency from such account to require jobs for American's graduates-Kansas to submit a report to the Kansas juvenile justice oversight committee established by K.S.A. 75-52,161, and amendments thereto, on or after June 15, 2025, but on or before June 30, 2025: *And provided further*; That such report shall include the number of youths served and performance outcomes.

Juvenile crime

community prevention (521-00-1000-0051).....\$1,500,000

Provided, That expenditures shall be made by such agency from such account during fiscal year 2025 to provide grants to communities for evidence-based juvenile crime prevention programs: *Provided further*; That at least \$500,000 of such grants shall require a \$1-for-\$1 local or private match.

Operating expenditures –

juvenile services (521-00-1000-0103).....\$1,552,552

Provided, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Treatment and programs –

offender programs (521-00-1000-0151).....\$11,629,345

Provided, That any unencumbered balance in the treatment and programs – offender programs account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Treatment and programs – medical

and mental (521-00-1000-0152).....\$87,195,904

Provided, That any unencumbered balance in the treatment and programs – medical and mental account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Department of corrections

hepatitis C treatment (521-00-1000-0153).....\$2,950,000

Provided, That any unencumbered balance in the department of corrections hepatitis C treatment account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Treatment and programs –

KUMC contract (521-00-1000-0154).....\$2,120,373

Provided, That any unencumbered balance in the treatment and programs – KUMC contract account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Community corrections (521-00-1000-0220).....\$31,098,494

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2025 that supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Prevention and graduated sanctions

community grants (521-00-1000-0221).....\$23,101,389

Provided, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That moneys awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Purchase of services (521-00-1000-0300).....\$906,795

Provided, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Facilities operations (521-00-1000-0303).....\$19,307,030

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Local jail payments (521-00-1000-0510).....\$1,550,000

Provided, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under K.S.A. 19-1930(b), and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Operating expenditures (521-00-1000-0603).....\$56,795,865

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000: *Provided further*; That expenditures shall be made from the operating expenditures account to provide a 14% adjustment to the career progression plan for parole officer I and an 11% adjustment to the career

progression plan for parole officer II and special agents.

Debt service payments – data

 systems replacement (521-00-1000-0702).....\$3,346,286
 Equipment replacements (521-00-1000-0810).....\$756,213

Provided, That any unencumbered balance in the equipment replacements account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Vehicle replacements (521-00-1000-0820).....\$591,717

Provided, That any unencumbered balance in the vehicle replacements account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Ellsworth correctional facility –

 facilities operations (177-00-1000-0303).....\$21,505,887

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility –

 facilities operations (195-00-1000-0303).....\$44,131,272

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility –

 facilities operations (313-00-1000-0303).....\$47,255,090

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex –

 facilities operations (352-00-1000-0303).....\$25,150,855

Provided, That any unencumbered balance in the Kansas juvenile correctional complex – facilities operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further*; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Lansing correctional facility –

 facilities operations (400-00-1000-0303).....\$43,748,437

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned state correctional facility –

facilities operations (408-00-1000-0303).....\$17,198,424

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated to the Larned state correctional facility – facilities operations account for fiscal year 2025: *Provided, however*; That expenditures from the Larned state correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility –

facilities operations (581-00-1000-0303).....\$23,523,126

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Topeka correctional facility –

facilities operations (660-00-1000-0303).....\$22,225,755

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility –

facilities operations (712-00-1000-0303).....\$23,954,881

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund (521-00-2116-2100).....No limit

Juvenile alternatives to

detention fund (521-00-2250).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for per diem payments to detention centers: *Provided, however*; That expenditures from the juvenile alternatives to detention fund for per diem payments to detention centers shall not exceed \$100,000: *And provided further*; That the department of corrections is hereby authorized and directed to make expenditures from the juvenile alternatives to detention fund for fiscal year 2025 for purchase of services: *And provided further*; That, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for graduated sanctions.

- Juvenile justice fee fund central office (521-00-2257).....No limit
- Alcohol and drug abuse
 - treatment fund (521-00-2339-2110).....No limit
 - Provided*, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.
- Department of corrections – general
 - fees fund (521-00-2427-2450).....No limit
 - Provided*, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: *Provided further*; That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.
- Community corrections special
 - revenue fund (521-00-2447-2447).....No limit
- Department of corrections forensic
 - psychologist fund (521-00-2492-2492).....No limit
 - Provided*, That expenditures may be made from the department of corrections forensic psychologist fund for general healthcare contract expenses.
- Community corrections supervision
 - fund (521-00-2748-2748).....No limit
- Residential substance abuse treatment –
 - federal fund (521-00-3006).....No limit
- Title I program for neglected and
 - delinquent children – federal fund (521-00-3009).....No limit
- Distance learning and telemedicine –
 - federal fund (521-00-3025).....No limit
- Ed Byrne memorial
 - justice assistance grants –
 - federal fund (521-00-3057).....No limit
- Prisoner reentry intv demo –
 - federal fund (521-00-3063).....No limit
- Federal asset forfeiture –
 - federal fund (521-00-3063-3713).....No limit
- Violence against women –
 - federal fund (521-00-3082).....No limit
- Ed Byrne state and local law assistance –
 - federal fund (521-00-3213-3213).....No limit
- Violence against women –
 - federal fund (521-00-3214).....No limit
- Bulletproof vest partnership –
 - federal fund (521-00-3216-3216).....No limit

Title VI-B special education – federal fund (521-00-3234).....	No limit
Victims of crime act – federal fund (521-00-3260).....	No limit
Juvenile justice delinquency prevention federal fund (521-00-3351).....	No limit
Byrne grant – federal fund (521-00-3353-3200).....	No limit
Medical assistance program – federal fund (521-00-3414).....	No limit
Economic adjustment assistance – federal fund (521-00-3415).....	No limit
USMS reimbursement – federal fund (521-00-3562-3562).....	No limit
Elementary & secondary schools emergency relief – federal fund (521-00-3638).....	No limit
Detection & mitigation of COVID-19 in confinement facilities – federal fund (521-00-3649).....	No limit
Coronavirus relief fund – federal fund (521-00-3756).....	No limit
Justice reinvestment technical assistance for state governments project – federal fund (521-00-3758-3758).....	No limit
Prison rape elimination act (PREA) justice assistance grant – federal fund (521-00-3758).....	No limit
JRI technical assistance and training – federal fund (521-00-3804-3804).....	No limit
Second chance act – federal fund (521-00-3895-3895).....	No limit
Department of corrections – alien incarceration grant fund – federal (521-00-3943-3800).....	No limit
Second chance act reentry initiative – federal fund (521-00-3985-3901).....	No limit
ICJR – federal fund.....	No limit
Juvenile delinquency prevention trust fund (521-00-7322-7000).....	No limit
State of Kansas – department of corrections inmate benefit fund (521-00-7950-5350).....	No limit
Ellsworth correctional facility – general fees fund (177-00-2227-2000).....	No limit
El Dorado correctional facility – general fees fund (195-00-2252-2000).....	No limit
Hutchinson correctional facility – general fees fund (313-00-2051-2000).....	No limit

Kansas juvenile correctional complex – fee fund (352-00-2321-2300).....	No limit
Kansas juvenile correctional complex – title I neglected and delinquent children – federal fund (352-00-3009).....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex (352-00-3529-3529).....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex (352-00-3530-3530).....	No limit
Kansas juvenile correctional complex – gifts, grants and donations fund (352-00-7016-7000).....	No limit
Lansing correctional facility – general fees fund (400-00-2040-2040).....	No limit
Larned state correctional facility – general fees fund (408-00-2145-2000).....	No limit
Correctional industries fund (522-00-6126-7300).....	No limit
<i>Provided</i> , That expenditures may be made from the correctional industries fund for official hospitality.	
Norton correctional facility – general fees fund (581-00-2238-2000).....	No limit
Topeka correctional facility – general fees fund (660-00-2090-2090).....	No limit
Topeka correctional facility – community development block grant – federal fund (660-00-3669-3669).....	No limit
Winfield correctional facility – general fees fund (712-00-2237-2000).....	No limit

(c) During the fiscal year ending June 30, 2025, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2025, from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2025 from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account (521-00-1000-0510) of the state general fund during fiscal year 2025 for costs pursuant to K.S.A. 19-1930(b), and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the

service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund (522-00-6126-7300) during fiscal year 2025 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2024, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2024.

(f) During the fiscal year ending June 30, 2025, the secretary of corrections, with the approval of the director of the budget, may make transfers from the correctional industries fund (522-00-6126-7300) to the department of corrections – general fees fund (521-00-2427-2450). The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) During the fiscal year ending June 30, 2025, all expenditures made by the department of corrections from the correctional industries fund (522-00-6126-7300) shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) Notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, during fiscal year 2025, the director of accounts and reports shall transfer the amount certified pursuant to K.S.A. 75-52,164(b), and amendments thereto, from each account of the state general fund of a state agency that has been determined by the secretary of corrections to be actual or projected cost savings to the evidence-based programs account of the state general fund of the department of corrections: *Provided*, That the secretary of corrections shall transmit a copy of each such certification to the director of legislative research.

(i) On July 1, 2024, the Larned correctional mental health facility – general fees fund (408-00-2145-2000) of the department of corrections is hereby redesignated as the Larned state correctional facility – general fees fund of the department of corrections.

Sec. 120.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (034-00-1000-0053).....	\$33,908
Civil air patrol – operating expenditures (034-00-1000-0103).....	\$202
Office of emergency communication (034-00-1000-0800).....	\$2,558
Rehabilitation and repair projects (034-00-1000-8000).....	\$1,620
Disaster relief (034-00-1000-0200).....	\$1,000,000
Southwest border mission.....	\$15,716,000

Provided, That all expenditures from the southwest border mission account shall be for expenses to respond to the request for assistance from the state of Texas pursuant to the emergency management assistance compact, K.S.A. 48-9a01, and amendments

thereto, or a memorandum of understanding between the governor and the governor of Texas: *Provided*, That the above agency shall collaborate with the governor and the response and recovery bureau director to activate, mobilize and deploy state resources and implement the appropriate mutual aid plans and procedures: *Provided further*, That such assistance is being provided to assist in the prevention of crime drug trafficking, human trafficking, transactional criminal organizations and other related crimes contributing to an emergency.

Sec. 121.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (034-00-1000-0053).....\$6,534,429

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,500.

Civil air patrol – operating expenditures (034-00-1000-0103).....\$50,068

Disaster relief (034-00-1000-0200).....\$2,500,000

Provided, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Military activation payments (034-00-1000-0300).....\$6,000

Provided, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 75-3228, and amendments thereto.

Kansas military emergency relief (034-00-1000-0400).....\$9,881

Provided, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Office of emergency communication (034-00-1000-0800).....\$307,537

Provided, That any unencumbered balance in the office of emergency

communication account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Shooting team grants.....\$50,000

Provided, That expenditures shall be made from the shooting team grants account for the adjutant general to provide grants to shooting teams from the Kansas air national guard or the Kansas army national guard for ammunition, equipment and travel expenses for marksmanship matches: *Provided further*, That an eligible team shall have participated in: (1) The 2024 adjutant general's combat marksmanship match; and (2) a national guard marksmanship regional or national competition: *And provided further*, That upon application from eligible teams, at least one grant shall be awarded to a Kansas air national guard team and at least one grant shall be awarded to a Kansas army national guard team: *Provided, however*, That, if no team from one branch of the Kansas national guard meets the requirements of this proviso, the adjutant general may award all grants to teams from the other branch of Kansas national guard that meet such requirements: *And provided, however*, That the adjutant general shall not award a single team all moneys in the shooting team grants account.

Any unencumbered balance in the southwest border mission account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas intelligence fusion center fund.....No limit

General fees fund (034-00-2102)No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications

fund (034-00-2496-2496)No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of

emergency communications fund.

Conversion of materials and equipment fund –	
military division (034-00-2400-2030)	No limit
Adjutant general expense fund (034-00-2357).....	No limit
State asset forfeiture fund (034-00-2498-2498).....	No limit
State emergency fund (034-00-2437).....	No limit
State emergency fund weather	
disasters 5/4/2007 (034-00-2441).....	No limit
State emergency fund weather	
disasters 12/06, 7/07 (034-00-2445).....	No limit
Disaster grants – public assistance	
federal fund (034-00-3005).....	No limit
National guard military operations/maintenance	
federal fund (034-00-3055-3300).....	No limit
Econ adjustment/military installation	
federal fund (034-00-3196-3196).....	No limit
Disaster assistance to individual/household	
federal fund (034-00-3405-3405).....	No limit
Interoperability communication	
equipment fund (034-00-3449-3449).....	No limit
Pre-disaster mitigation –	
federal fund (034-00-3268-3269).....	No limit
Hazard material training and planning –	
federal fund (034-00-3121-3310).....	No limit
State homeland security program	
federal fund (034-00-3629-3629).....	No limit
Nuclear safety emergency management	
fee fund (034-00-2081-2200).....	No limit
<i>Provided</i> , That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2025 pursuant to agreements, which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.	
Military fees fund – federal (034-00-2152).....	No limit
<i>Provided</i> , That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.	
Armories and units general	
fees fund (034-00-2171-2010).....	No limit
Emergency systems for advanced registration	
for volunteer health professionals –	
federal fund (034-00-3748-3748).....	No limit
Civil air patrol – grants and contributions –	
federal fund (034-00-7315-7000).....	No limit

Coronavirus relief fund –
 federal fund (034-00-3753).....No limit

Emergency management performance grant –
 federal fund (034-00-3342-3342).....No limit

NG – federal forfeiture fund (034-00-2184-2100).....No limit

Inaugural expense fund (034-00-2003-2300).....No limit

Kansas military emergency relief fund (034-00-2658-2650).....No limit

Provided, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact
 federal fund (034-00-3609-3605)No limit

Public safety interoperable communications grant program
 federal fund (034-00-3340-3340).....No limit

Military construction national guard
 federal fund (034-00-3192-3192).....No limit

National guard civilian youth opportunities
 federal fund (034-00-3193-3193).....No limit

Hazard mitigation grant
 federal fund (034-00-3019).....No limit

Citizen corps federal fund (034-00-3341-3341).....No limit

Law enforcement terrorism prevention program
 federal fund (034-00-3613-3600).....No limit

Safe and drug-free schools and communities national programs
 federal fund (034-00-3569-3569).....No limit

Great plains joint regional training center
 fee fund (034-00-2688-2688).....No limit

Provided, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-

profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program –

- federal fund (034-00-3576-3576).....No limit
- Military honors funeral fund (034-00-2789-2789).....No limit

Provided, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2025 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

Fire management assistance grant –

- federal fund (034-00-3320-3320).....No limit

Kansas national guard counter drug state

- forfeiture fund.....No limit

American rescue plan state

- relief fund (034-00-3756-3536).....No limit

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2025 made by this or other appropriation act of the 2024 regular session of the legislature.

(d) During the fiscal year ending June 30, 2025, the adjutant general, with the approval of the director of the budget, may transfer any part of any item of

appropriation for fiscal year 2025, from the state general fund for the adjutant general to another item of appropriation for fiscal year 2025 from the state general fund for the adjutant general: *Provided*, That the adjutant general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 122.

STATE FIRE MARSHAL

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 124(a) of chapter 82 of the 2023 Session Laws of Kansas on the fire marshal fee fund (234-00-2330) of the state fire marshal is hereby increased from \$7,056,575 to \$7,585,054.

Sec. 123.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Boiler inspection fee fund (234-00-2128-2128).....No limit

Provided, That, during the fiscal year ending June 30, 2025, notwithstanding the provisions of any statute, in addition to the other purposes for which expenditures may be made from the boiler inspection fee fund for fiscal year 2025 by the above agency by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from the boiler inspection fee fund for operating expenses of the above agency.

Fire marshal fee fund (234-00-2330).....\$8,872,333

Provided, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000.

Explosives regulatory and

training fund (234-00-2361-2361).....No limit

Emergency response fund (234-00-2589).....No limit

Provided, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2025 for the purposes of responding to specific incidences of emergencies related to hazardous materials or search and rescue incidents without prior approval of the state finance council: *Provided, however*, That expenditures from the emergency response fund during fiscal year 2025 for the purposes of responding to any specific incidence of an emergency related to hazardous materials or search and rescue incidents without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

State fire marshal liquefied petroleum gas

fee fund (234-00-2608-2600).....No limit

Non-fuel flammable or combustible

liquid aboveground storage tank

system fund (234-00-2626-2610).....No limit

Fire safety standard and firefighter protection act enforcement fund (234-00-2694-2620).....	No limit
Cigarette fire safety standard and firefighter protection act fund (234-00-2696-2630).....	No limit
Elevator safety fee fund (234-00-2854-2854).....	No limit
FFY12 HMEP grant – federal fund (234-00-3121-3121).....	No limit
Contract inspections fund (234-00-6122-6122).....	No limit
Intragovernmental service fund (234-00-6160-6000).....	No limit
Gifts, grants and donations fund (234-00-7405-7400).....	No limit

(b) During the fiscal year ending June 30, 2025, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund (234-00-2330-2000) to the emergency response fund (234-00-2589) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget: *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2025, shall not exceed \$500,000.

(c) During the fiscal year ending June 30, 2025, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) during fiscal year 2025, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2025 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2025 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund (234-00-2589) to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2025 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(d) During the fiscal year ending June 30, 2025, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) and any other resources available to the fire marshal fee fund during the fiscal year 2025, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2025 are insufficient to meet in full the estimated expenditures for fiscal year 2025 as they become due to meet the financial obligations imposed by law on the fire marshal fee

fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2025: *Provided*, That the aggregate amount of such transfers during fiscal year 2025 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports during fiscal year 2025, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2025, notwithstanding the provisions of any other statute, the state fire marshal, may transfer funds from the contract inspections fund (234-00-6122-6122) of the state fire marshal to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(f) During the fiscal year ending June 30, 2025, notwithstanding the provisions of any other statute, the state fire marshal is hereby authorized to transfer moneys during fiscal year 2025 from the elevator safety fee fund (234-00-2854-2854) to the fire marshal fee fund (234-00- 2330-2000) to be expended during fiscal year 2025 by the state fire marshal to administer the provisions of the elevator safety act, K.S.A. 2023 Supp. 44-1801 through 44-1820, and amendments thereto.

Sec. 124.

KANSAS HIGHWAY PATROL

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$20,000,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the Kansas highway patrol operations fund – scale replacement and rehabilitation and repair of buildings capital improvement account (280-00-2034-1115) of the Kansas highway patrol.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 166(c) of chapter 82 of the 2023 Session Laws of Kansas on the scale replacement and rehabilitation and repair of buildings capital improvement account (280-00-2034-1115) of the Kansas highway patrol is hereby increased from \$382,144 to \$20,382,144.

(c) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$7,228,517 from the state highway fund (276-00-4100-4100) of the department of transportation to the rehabilitation and repair – training center – Salina capital improvement account (280-00-2306-2004) of the Kansas highway patrol.

(d) During the fiscal year ending June 30, 2024, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated

from the Kansas highway patrol operations fund – scale replacement and rehabilitation and repair of buildings capital improvement account (280-00-2034-1115) as authorized by section 166(c) of chapter 82 of the 2023 Session Laws of Kansas, this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys in an amount of not exceed \$900,000 for the purchase of up to 200 acres of land and improvements thereon in Salina, Kansas, an amount of not exceed \$11,000,000 for a central dispatch facility on such land and an amount of not to exceed \$7,500,000 for an indoor and outdoor firing range facility on such land.

Sec. 125.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas highway patrol
operations fund (280-00-2034-1100).....\$72,826,377

Provided, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto: *And provided further*, That expenditures shall be made from the Kansas highway patrol operations fund to provide a 10% adjustment to the career progression plan for sworn law enforcement officers: *And provided further*, That expenditures shall be made from the Kansas highway patrol operations fund to provide a 10% salary increase for dispatchers.

General fees fund (280-00-2179-2200).....No limit

Provided, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law: *Provided further*, That, notwithstanding the provisions of article 66 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency from the general fees fund, expenditures shall be made by the above agency from such fund to sell the personal sidearm, with a trigger lock, of a part-time state law enforcement officer, who has 10 years or more of service, to such officer, subject to the following: (1) Such officer is resigning; (2) the sale of such personal sidearm shall be for the amount equal to the total of the fair market value of the sidearm, as fixed by the superintendent, plus the cost of the trigger lock; and (3) no sale of a personal sidearm shall be made to any resigning officer unless the superintendent determines that the employment record and performance evaluations of each such officer are satisfactory: *And provided further*, That all proceeds from the sale of personal sidearms and trigger locks shall be deposited in the state treasury in accordance with the provisions of K.S.A.

75-4215, and amendments thereto, and shall be credited to the general fees fund.

Motor carrier safety assistance program

state fund (280-00-2208).....No limit

Provided, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Kansas highway patrol staffing and

training fund (280-00-2211-2211).....No limit

Vehicle identification number

fee fund (280-00-2213).....No limit

Highway safety fund (280-00-2217-2250).....No limit

State forfeiture

fund – pending (280-00-2264-2264).....No limit

Highway patrol training

center fund (280-00-2306).....No limit

Provided, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*; That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*; That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Highway patrol motor

vehicle fund (280-00-2317-2800).....No limit

Aircraft fund – on budget (280-00-2368-2360).....No limit

Provided, That expenditures shall be made from the aircraft fund – on budget by the above agency in an amount of not to exceed \$1,300,000 for the maintenance and operations of any aircraft of the above agency.

DUI – IID designation fund (280-00-2380-2380).....No limit

Kansas highway patrol state

forfeiture fund (280-00-2413-2100).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2025, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.

For patrol of Kansas

turnpike fund (280-00-2514-2500).....No limit

Provided, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Drug tax stamp enforcement fund (280-00-2825-2825).....No limit

Disaster grants – public assistance – federal fund (280-00-3005-3005).....	No limit
Edward Byrne memorial justice assistance grant – federal fund (280-00-3057).....	No limit
National motor carrier safety assistance program – federal fund (280-00-3073).....	No limit
<i>Provided, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.</i>	
BAU fund (280-00-3092).....	No limit
Homeland security federal fund (280-00-3199).....	No limit
Edward Byrne memorial assistance grant – state and local law enforcement – federal fund (280-00-3213-3213).....	No limit
Bulletproof vest partner – federal fund (280-00-3216-3216).....	No limit
Public safety partnership and community policing federal fund (280-00-3218-3218).....	No limit
Performance registration information system management – federal fund (280-00-3239-3239).....	No limit
Commercial vehicle information system network – federal fund (280-00-3244-3244).....	No limit
Highway planning and construction – federal fund (280-00-3333-3333).....	No limit
KHP federal forfeiture – federal fund (280-00-3545).....	No limit
<i>Provided, That expenditures may be made from the KHP federal forfeiture – fund by the above agency for the capital improvement project or projects for troop F headquarters.</i>	
High intensity drug trafficking areas – federal fund (280-00-3615-3000).....	No limit
Homeland security program – federal fund (280-00-3629).....	No limit
American rescue plan state relief fund (280-00-3756).....	No limit
Emergency ops cntr – federal fund (280-00-3808-3808).....	No limit
State and community highway safety – federal fund (280-00-3815-3815).....	No limit
Capitol area security fund (280-00-6143-6100).....	No limit
Executive aircraft fund (280-00-6144-6120).....	No limit
<i>Provided, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: Provided further, That the superintendent of the highway</i>	

patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund: *And provided further*, That expenditures shall be made from the executive aircraft fund by the above agency in an amount of not to exceed \$1,500,000 for the maintenance and operations of any aircraft of the above agency.

Motor vehicle fuel and storeroom sales fund (280-00-6155-6200).....No limit

Provided, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

1122 program clearing fund (280-00-7280).....No limit

Homeland sec grant prog fund (280-00-7280).....No limit

Gifts and donations fund (280-00-7331).....No limit

Provided, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Ignition interlock devices program fund.....No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2025, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund (280-00-7280-7280) interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) Except as provided further, on July 1, 2024, October 1, 2024, January 1, 2025, and April 1, 2025, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$500,000 from the motor carrier license fees fund (143-00-2812-5500) of the state corporation commission to the motor carrier safety assistance program state fund (280-00-2208) of the Kansas highway patrol: *Provided, however*, That the total of all transfers shall not exceed \$2,000,000 in fiscal year 2025.

(d) Except as provided further, on July 1, 2024, October 1, 2024, January 1, 2025, and April 1, 2025, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$18,206,594.25 from the state highway fund (276-00-4100-4100) of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other

purposes for which expenditures may be made from the state highway fund during fiscal year 2025 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2025 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2024, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the highway safety fund (280-00-2217-2250) of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2024, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the general fees fund (280-00-2179-2200) of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,300,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the aircraft fund – on budget (280-00-2368-2360) of the Kansas highway patrol.

(h) On July 1, 2024, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,500,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the executive aircraft fund (280-00-6144-6120) of the Kansas highway patrol for the purpose of maintaining and operating the executive aircraft.

Sec. 126.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Meth lab cleanup (083-00-1000-0200).....\$75

(b) On the effective date of this act, of the \$31,584,847 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 127(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the operating expenditures account (083-00-1000-0083), the sum of \$41,215 is hereby lapsed.

Sec. 127.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (083-00-1000-0083).....\$41,230,732

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated to the operating expenditures account for fiscal year 2025: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup (083-00-1000-0200).....\$50,310

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

LIMS replacement.....\$2,500,000

CMS replacement.....\$1,050,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state

forfeiture fund (083-00-2283).....No limit

Provided, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund (083-00-3940).....No limit

Provided, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area –

federal fund (083-00-3349-3100).....No limit

Federal grants – marijuana eradication –

federal fund (083-00-3350).....No limit

eCitation national priority safety program –

federal fund (083-00-3092).....No limit

Ncs-x grant – federal fund (083-00-3580-3580).....No limit

Criminal justice information system

line fund (083-00-2457).....No limit

Provided, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

DNA database fund (083-00-2676-2700).....No limit

Kansas bureau of investigation motor

vehicle fund (083-00-2344-2050).....No limit

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*; That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance

with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials

fee fund (083-00-2077).....No limit

Provided, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*; That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by K.S.A. 28-176(e), and amendments thereto: *Provided further*; That all fees received for such laboratory tests, including all moneys received pursuant to K.S.A. 28-176(a), and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund (083-00-2140).....No limit

Provided, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*; That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*; That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures from any moneys received from the division of

alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures: *And provided further*; That expenditures from any moneys received from the Kansas criminal justice information system committee and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for training activities and official hospitality.

Record check fee fund (083-00-2044-2010).....No limit

Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*; That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental

 service fund (083-00-6119-6100).....No limit

Agency motor pool fund (083-00-6117).....No limit

National criminal history improvement program

 federal fund (083-00-3189-3189).....No limit

Public safety partnership

 and community policing

 federal fund (083-00-3218-3218).....No limit

Forensic DNA backlog reduction

 federal fund (083-00-3226-3226).....No limit

Coverdell forensic sciences improvement

 federal fund (083-00-3227-3227).....No limit

Anti-gang initiative

 federal fund (083-00-3229-3229).....No limit

Homeland security federal fund (083-00-3199).....No limit

State homeland security program

 federal fund (083-00-3629-3629).....No limit

Convicted/arrestee DNA backlog reduction

 federal fund (083-00-3489-3489).....No limit

Disaster grants – public assistance

 federal fund (083-00-3005-3005).....No limit

Ed Byrne memorial justice assistance

 federal fund (083-00-3057).....No limit

Ed Byrne state/local law enforcement

 federal fund (083-00-3213-3213).....No limit

Violence against women – ARRA

 federal fund (083-00-3214).....No limit

AWA implementation grant program

 federal fund (083-00-3228-3228).....No limit

Ed Byrne memorial JAG – ARRA

 federal fund (083-00-3455-3455).....No limit

Convicted offender/arrestee DNA backlog reduction federal fund (083-00-3489-3489).....	No limit
KBI-FBI reimbursement federal fund (083-00-3506-3506).....	No limit
Project safe neighborhoods fund (083-00-3217-3217).....	No limit
Social security administration reimbursement – federal fund (083-00-3560-3560).....	No limit
Bulletproof vest partnership – federal fund (083-00-3216-3211).....	No limit
Sexual assault kit grant – federal fund (083-00-3146-3146).....	No limit
Crime victim assistance discretionary grant (083-00-3250-3260).....	No limit
Opioid summit fund.....	No limit
Coronavirus emergency supplemental fund (083-00-3671).....	No limit
Byrne discretionary community fund (083-00-3654).....	No limit
Substance use disorder federal fund (083-00-3294).....	No limit
American rescue plan state relief fund (083-00-3756).....	No limit

(c) During the fiscal year ending June 30, 2025, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2025 made by this act or other appropriation act of the 2024 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2025 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 128.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Emergency medical services operating fund (206-00-2326-4000).....	\$2,029,012
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Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*; That such fees may be fixed in order to recover all or part of

such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant

payment fund (206-00-2396-2510).....No limit

Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund (206-00-2449-2400).....No limit

Provided, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2025.

EMS criminal history and

fingerprinting fund (206-00-2806-2806).....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the emergency medical services operating fund (206-00-2326-4000) for fiscal year 2025 by this or other appropriation act of the 2024 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2025 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for emergency medical service providers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for emergency medical service providers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for emergency medical service providers who are obtaining a postsecondary education degree for the purpose of becoming instructors of emergency medical services educational courses.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2025, as authorized by this or any other appropriation act of the

2024 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2025 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in each of the EMS regions that are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to each such EMS region for the operation of the education and training of emergency medical service providers in each such EMS region.

(d) On July 1, 2024, and January 1, 2025, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund (206-00-2326-4000) to the educational incentive grant payment fund (206-00-2396-2510) of the emergency medical services board.

(e) During the fiscal year ending June 30, 2025, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund (206-00-2326-4000) during fiscal year 2025, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2025 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2025 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund (206-00-2396-2510) to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2025 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2025, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2025.

Sec. 129.

KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$1,405,235 appropriated for the above

agency for the fiscal year ending June 30, 2024, by section 130(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the operating expenditures account (626-00-1000-0303), the sum of \$137,867 is hereby lapsed.

(b) On the effective date of this act, of the \$8,778,903 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 130(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the substance abuse treatment programs account (626-00-1000-0600), the sum of \$2,246,141 is hereby lapsed.

Sec. 130.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (626-00-1000-0303).....\$1,378,186

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse

treatment programs (626-00-1000-0600).....\$10,840,817

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That, notwithstanding the provisions of K.S.A. 21-6824, and amendments thereto, or any other statute, in addition to other purposes for which expenditures may be made by the above agency from the substance abuse treatment program account of the state general fund during fiscal year 2025, expenditures may be made from such account for operating costs.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (626-00-2201).....No limit

Statistical analysis – federal fund (626-00-3600).....No limit

Coronavirus relief fund (626-00-3753).....No limit

Sec. 131.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 132(a) of chapter 82 of the 2023 Session Laws of Kansas on the Kansas commission on peace officers' standards and training fund (529-00-2583-2580) of the Kansas commission on peace officers' standards and training is hereby increased from \$916,965 to \$975,559.

Sec. 132.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

Kansas commission on
 peace officers' standards and
 training fund (529-00-2583-2580).....\$903,574

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training
 reimbursement fund (529-00-2746-2700).....No limit
 Sec. 133.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (046-00-1000-0053).....\$285,977
 Sec. 134.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (046-00-1000-0053).....\$13,560,600

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025:
Provided further, That expenditures from this account for official hospitality shall not exceed \$10,000.

Agency legal services.....\$50,000
 Animal facilities inspection program
 emergency animal shelter.....\$50,000

Provided, That expenditures shall be made by the above agency from the animal facilities inspection program emergency animal shelter account in an amount of at least \$25,000 to spay or neuter animals located at such shelter.

Local farm to food program.....\$900,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Meat and poultry inspection
 fee fund (046-00-2004-0700).....No limit

Entomology fee fund (046-00-2006-0900).....No limit

Livestock market brand inspection
 fee fund (046-00-2007-2010).....No limit

Veterinary inspection fee fund (046-00-2009-2020).....No limit

Livestock brand fee fund (046-00-2011-2030).....No limit

Grain commodity commission
 services fund (046-00-2018-1070).....No limit

Water structures fund (046-00-2037-1075).....No limit

Water structures – state
 highway fund (046-00-2043-1080).....No limit

Kansas agricultural
 remediation fund (046-00-2095-1090).....No limit

Dairy fee fund (046-00-2105-1015).....No limit
Water resources cost fund (046-00-2110-1020).....No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Soil amendment fee fund (046-00-2117-1100).....No limit
Agricultural liming materials

fee fund (046-00-2118-1200).....No limit
Weights and measures fee fund (046-00-2165-1500).....No limit

Water appropriation
certification fund (046-00-2168-1600).....No limit

Agriculture seed fee fund (046-00-2187-2720).....No limit
Chemigation fee fund (046-00-2194-1800).....No limit

Animal disease control fund (046-00-2202-2500).....No limit

Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Animal dealers fee fund (046-00-2207-2050).....No limit

Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets.

Plant pest emergency
response fund (046-00-2210-1805).....No limit

Water transfer hearing fund (046-00-2278-1900).....No limit
Publications fee fund (046-00-2322-2000).....No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*, That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Market development fund (046-00-2331-2351).....No limit

Provided, That expenditures may be made from the market development fund for official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of agriculture: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Trademark fund (046-00-2333-2360).....No limit
Commercial industrial hemp act licensing
fee fund (046-00-2343-2343).....No limit

General fees fund (046-00-2346-2100).....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have available moneys to the general fees fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Conversion of materials and
equipment fund (046-00-2402-2200).....No limit

Lodging fee fund (046-00-2456-2400).....No limit
Buffer participation

incentive fund (046-00-2517-2510).....No limit

Land reclamation fee fund (046-00-2542-2090).....No limit

Petroleum inspection
fee fund (046-00-2550-2550).....No limit

U.S. geological survey
cooperative gauge agreement
grants fund (046-00-2629-2800).....No limit

Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Laboratory equipment fund (046-00-2710-2700).....No limit

Arkansas river gaging fund (046-00-2751-2751).....No limit

Laboratory testing services
fee fund (046-00-2752-2752).....No limit

Provided, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have

available moneys to the laboratory testing services fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Compliance education fee fund (046-00-2757-2757).....No limit

Provided, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2025, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Conference registration and

disbursement fund (046-00-2772-2101).....No limit

Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Reimbursement and

recovery fund (046-00-2773-2294).....No limit

Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Agricultural chemical

fee fund (046-00-2800-2900).....No limit

Feeding stuffs

fee fund (046-00-2801-4000).....No limit

Fertilizer fee fund (046-00-2802-4100).....No limit

Pesticide use fee fund (046-00-2804-4300).....No limit

Egg fee fund (046-00-2808-4600).....No limit

Warehouse fee fund (046-00-2809-4700).....No limit

Food safety fee fund (046-00-2813-4805).....No limit

Pesticide disposal fund (046-00-2831-2831).....No limit

Water structures emergency

fund (046-00-2868-2868).....No limit

Meat and poultry inspection

fund – federal (046-00-3013-3100).....No limit

NRCS grant CFDA

10.932 fund (046-00-3022-3903).....No limit

Water structures NRCS

LIDAR grant (046-00-3081-3081).....No limit

Market protection/

promotion fund (046-00-3104-3315).....No limit

Homeland security grant –

federal fund (046-00-3199-3436).....No limit

Cooperating technical partners –

federal fund (046-00-3203-3213).....No limit

NRCS grant CFDA 10.931 fund (046-00-3228-3220).....No limit

EPA pesticide performance partnership grant –

federal fund (046-00-3295-3290).....	No limit
Plant/animal disease and	
pest control (046-00-3360).....	No limit
FEMA dam safety –	
federal fund (046-00-3362-3353).....	No limit
USDA Kansas forestry service –	
federal fund (046-00-3426-3380).....	No limit
Ag stats report fund (046-00-3427-3390).....	No limit
National floodplain insurance assistance (CAP) –	
federal fund (046-00-3445-3330).....	No limit
Food/drug administration/research (046-00-3462).....	No limit
Specialty crop block grant fund (046-00-3463-3300).....	No limit
Local food purchase agreement –	
federal fund (046-00-3662-3662).....	No limit
Watershed protect approach/WTR	
RSRCE MGT fund (046-00-3889).....	No limit
NRCS stream bank water quality –	
federal fund (046-00-3917).....	No limit
NRCS grant CFDA	
10.069 fund (046-00-3952-3901).....	No limit
NRCS grant CFDA	
10.924 fund (046-00-3953-3902).....	No limit
Flx finding mdl coop	
agrmt fund (046-00-3954-3905).....	No limit
NRCS grant CFDA	
10.912 fund (046-00-3955-3904).....	No limit
Gifts and donations fund (046-00-7305-7000).....	No limit
<i>Provided</i> , That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: <i>Provided further</i> , That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.	
(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2025, for the water plan project or projects specified, the following:	
Interstate water issues (046-00-1800-0070).....	\$527,927
<i>Provided</i> , That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Water use (046-00-1800-0075).....	\$100,000
<i>Provided</i> , That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Basin management (046-00-1800-0080).....	\$673,847
<i>Provided</i> , That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	
Irrigation technology (046-00-1800-0088).....	\$550,000
<i>Provided</i> , That any unencumbered balance in the irrigation technology account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.	

Crop and livestock research (046-00-1800-0089).....\$350,000

Provided, That any unencumbered balance in the crop and livestock research account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Soil health initiative (046-00-1800-0090).....\$400,000

Provided, That any unencumbered balance in the soil health initiative account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Water resources

cost share (046-00-1800-1205).....\$2,834,714

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025:

Provided further, That the initial allocation for grants to conservation districts for fiscal year 2025 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures for the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2025 for the water resources cost share account.

Nonpoint source

pollution assistance (046-00-1800-1210).....\$1,866,598

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Conservation district aid (046-00-1800-1220).....\$2,502,706

Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas conservation reserve enhancement

program fund (046-00-1800-1225).....\$554,142

Provided, That any unencumbered balance in the Kansas conservation reserve enhancement program fund account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Watershed dam

construction (046-00-1800-1240).....\$650,000

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Kansas water quality

buffer initiatives (046-00-1800-1250).....\$0

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2025 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program (046-00-1800-1260).....\$154,024

Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Streambank stabilization projects (046-00-1800-1290).....\$750,000

Provided, That any unencumbered balance in the streambank stabilization projects account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas reservoir protection initiative administration.....\$0

(d) During the fiscal year ending June 30, 2025, the secretary of agriculture, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2025 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2025 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of the budget; (2) the director of legislative research; (3) the chairperson of the house of representatives agriculture and natural resources budget committee; and (4) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2024, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund (276-00-4100-4100) of the department of transportation to the water structures – state highway fund (046-00-2043-1080) of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2025, the following:

Agriculture marketing program (046-00-1900-1110).....\$1,030,744

Provided, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

(g) Notwithstanding the provisions of K.S.A. 82a-767, and amendments thereto, or any other statute concerning the length of time for conducting water bank evaluations, in addition to the other purposes for which expenditures may be made by the department of agriculture from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the department of agriculture from such moneys for fiscal year 2025 for the chief engineer, in consultation with the director of the Kansas

water office, to develop a request for proposal and select an independent consultant to conduct the evaluation, as described in K.S.A. 82a-767, and amendments thereto, of the operations of the central Kansas water bank: *Provided*, That such evaluation shall include specific findings regarding the consumptive use and potential impairment impacts involved with the use of safe deposit accounts in the Rattlesnake Creek hydrologic unit: *Provided further*; That the results of such evaluation shall be submitted to the house of representatives committee on water and the senate committee on agriculture and natural resources on or before January 12, 2026.

Sec. 135.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (373-00-1000-0103).....\$300,000

Sec. 136.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (373-00-1000-0103).....\$235,000

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund (373-00-5182-5100).....No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$10,000.

State fair special cash fund (373-00-9088-9000).....No limit

State fair debt service special revenue fund (373-00-2267-2200).....No limit

Sec. 137.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Water resources operating expenditures (709-00-1000-0303).....\$10,764

(b) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, the following:

Water injection dredging (709-00-1800-1290).....\$2,000,000

(c) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state water plan fund to the water projects grant fund (709-00-2881-2881) of the Kansas water office.

Sec. 138.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Water resources operating

expenditures (709-00-1000-0303).....\$1,351,356

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (709-00-2022).....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Lower Smoky Hill water supply

access fund (709-00-2203-2203).....No limit

Water marketing fund (709-00-2255-2100).....No limit

Provided, That expenditures may be made from the water marketing fund for the purchase of vessel liability insurance.

Indirect cost fund (709-00-2419-2419).....No limit

State conservation storage water

supply fund (709-00-2502-2600).....No limit

Provided, That expenditures may be made by the above agency from the State conservation storage water supply fund for acquisition of storage or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the state conservation storage water supply fund.

Equipment leasing

fee fund (709-00-2892-2892).....No limit

Local water project

match fund (709-00-2620-3200).....No limit

Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both, for water projects.

Water supply storage

assurance fund (709-00-2631).....No limit

Provided, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2025 unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and

amendments thereto, to supply water to users that is not held under contract in such reservoirs.

- Republican river water conservation projects –
 Nebraska moneys fund (709-00-2690-2640).....No limit
- Republican river water conservation projects –
 Colorado moneys fund (709-00-2691-2680).....No limit
- South fork Republican river water conservation
 projects fund (709-00-2824-2824).....No limit

Provided, That during the fiscal year ending June 30, 2025, the above agency shall pay an amount equal to the amount certified pursuant to subsection (k) from the south fork Republican river water conservation projects fund as a grant pursuant to the grant agreement entered into by the Kansas water office and the Cheyenne county conservation district: *Provided further*, That in accordance with the grant agreement, such moneys shall be used exclusively for the purposes of paying all or a portion of the costs of the projects specified in K.S.A. 82a-1804(g), and amendments thereto, in the area lying in the south fork of the upper Republican river basin in northwest Kansas in all or parts of Cheyenne and Sherman counties: *And provided further*, That in accordance with the grant agreement, all expenditures of such moneys shall be approved by the Cheyenne county conservation district and the Kansas water office: *And provided further*, That, in accordance with the grant agreement, such moneys shall be administered by the Cheyenne county conservation district and any interest earned on such moneys shall be used for the purposes prescribed by this subsection: *And provided further*, That in accordance with the grant agreement, all expenditures and the status of new projects approved by the Cheyenne county conservation district shall be reported not later than November 1, 2024, to the Kansas water office.

- Milford RCPP federal fund (709-00-3022-3022).....No limit
- Multipurpose grant fund (709-00-3103-3103).....No limit
- Emergency management performance
 grant fund (709-00-3342-3342).....No limit
- HHPD rehabilitation
 grant fund (709-00-3362-3362).....No limit
- Water reclamation and reuse
 grant fund (709-00-3731-3731).....No limit
- EPA wetland development
 grant fund (709-00-3914).....No limit
- Motor pool vehicle
 replacement fund (709-00-6120-6100).....No limit
- Water projects grant fund (709-00-2881-2881).....No limit
- Water technical assistance fund (709-00-2875-2875).....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2025, for the state water plan project or projects specified, the following:

- Assessment and evaluation (709-00-1800-1110).....\$1,050,414
- Provided*, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.
- MOU – storage operations
 and maintenance (709-00-1800-1150).....\$719,824

Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Stream gaging (709-00-1800-1190).....\$448,708

Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Conservation assistance for

water users (709-00-1800-1200).....\$425,000

Provided, That any unencumbered balance in the conservation assistance for water users account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Reservoir and water quality research (709-00-1800-1275).....\$450,000

Provided, That any unencumbered balance in the reservoir bathymetric surveys and biological research account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Water quality partnerships (709-00-1800-1280).....\$884,176

Provided, That any unencumbered balance in the water quality partnerships account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas water plan education

and outreach strategy (709-00-1800-1281).....\$250,000

Provided, That any unencumbered balance in the Kansas water plan education and outreach strategy account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

High plains aquifer

partnerships (709-00-1800-1282).....\$850,000

Provided, That any unencumbered balance in the high plains aquifer partnerships account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas reservoir protection

initiative (709-00-1800-1286).....\$1,000,000

Provided, That any unencumbered balance in the Kansas reservoir protection initiative account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Equus beds chloride plume

remediation project (709-00-1800-1287).....\$50,000

Provided, That any unencumbered balance in the equus beds chloride plume remediation project account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Flood response study (709-00-1800-1288).....\$0

Provided, That any unencumbered balance in the flood response study account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Arbuckle study (709-00-1800-1289).....\$150,000

Provided, That any unencumbered balance in the arbuckle study account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

HB 2302 projects (709-00-1800-1300).....\$18,000,000

Provided, That any unencumbered balance in the HB 2302 projects account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Water injection dredging (709-00-1800-1290).....\$0

Provided, That any unencumbered balance in the water injection dredging account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(d) During the fiscal year ending June 30, 2025, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2025 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2025 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2025, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2025 from the state water plan fund for the Kansas water office to any item of appropriation for fiscal year 2025 from the state water plan fund for the Kansas department of agriculture, university of Kansas, Kansas department of wildlife and parks or the department of health and environment – division of environment: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and upon receipt of such certification, the director of accounts and reports shall transfer such certified amount to the certified item of appropriation: *Provided further*, That when the director of the Kansas water office provides certification to the director of accounts and reports under this section, the director shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(f) During the fiscal year ending June 30, 2025, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(g) During the fiscal year ending June 30, 2025, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of increases in water rates, fees or charges

imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(h) During the fiscal year ending June 30, 2025, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2025, from the water marketing fund (709-00-2255-2100) to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(i) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025 by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2025 to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(j) During the fiscal year ending June 30, 2025, the director of the Kansas water office shall certify to the director of accounts and reports the amount of moneys expended by the Kansas department of agriculture from the state general fund that is attributable to the administration of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, or the water assurance program act, K.S.A. 82a-1330 et seq., and amendments thereto: *Provided*, That upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state general fund: *Provided further*, That the director of the Kansas water office shall transmit a copy of each such certification to the director of the

budget and the director of legislative research.

(k) During the fiscal year ending June 30, 2025, the director of the Kansas water office shall certify the amount of moneys in the Republican river water conservation projects – Colorado moneys fund and shall transmit such certification, along with the amount to be transferred, to the director of accounts and reports. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount specified by the director of the Kansas water office from the Republican river water conservation projects – Colorado moneys fund to the south fork Republican river water conservation projects fund: *Provided*, That the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

(l) During the fiscal year ending June 30, 2025, the director of the Kansas water office, with approval of the director of the budget, may transfer moneys from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state conservation storage water supply fund (709-00-2502-2600) of the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(m) On July 1, 2024, the technical assistance to water users account (709-00-1800-1200) of the state water plan fund of the Kansas water office is hereby redesignated as the conservation assistance for water users account (709-00-1800-1200) of the state water plan fund of the Kansas water office.

Sec. 139.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

El Dorado shower house.....	\$200,000
Flint hills trail system.....	\$3,000,000

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of chapter 82 of the 2023 Session Laws of Kansas on the wildlife fee fund (710-00-2300-2890) of the Kansas department of wildlife and parks is hereby increased from \$37,021,157 to \$37,605,154.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of chapter 82 of the 2023 Session Laws of Kansas on the parks fee fund (710-00-2122-2053) of the Kansas department of wildlife and parks is hereby increased from \$12,857,301 to \$14,072,053.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of chapter 82 of the 2023 Session Laws of Kansas on the boating fee fund (710-00-2245-2813) of the Kansas department of wildlife and parks is hereby increased from \$1,103,187 to \$1,170,847.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of chapter 82 of the 2023 Session Laws of Kansas on the department access road fund (710-00-2178-2761) of the Kansas department of wildlife and parks is hereby increased from \$1,746,736 to \$2,075,150.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 170(g) of chapter 82 of the 2023 Session

Laws of Kansas on the parks rehabilitation and repair projects account (710-00-2122-2066) of the Kansas department of wildlife and parks is hereby decreased from \$2,055,000 to \$1,260,000.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 170(i) of chapter 82 of the 2023 Session Laws of Kansas on the shooting range development account (710-00-2300-2301) of the Kansas department of wildlife and parks is hereby decreased from \$302,256 to \$300,000.

(h) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 170(i) of chapter 82 of the 2023 Session Laws of Kansas on the rehabilitation and repair account (710-00-2300-3262) of the Kansas department of wildlife and parks is hereby decreased from \$2,535,000 to \$546,492.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 170(j) of chapter 82 of the 2023 Session Laws of Kansas on the cabin site preparation account (710-00-2668-2660) of the Kansas department of wildlife and parks is hereby increased from \$500,000 to \$1,000,000.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 170(n) of chapter 82 of the 2023 Session Laws of Kansas on the land and water conservation development account (710-00-3794-3794) of the Kansas department of wildlife and parks is hereby increased from \$800,000 to \$1,225,000.

(k) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 170(o) of chapter 82 of the 2023 Session Laws of Kansas on the recreational trails program account (710-00-3238-3238) of the Kansas department of wildlife and parks is hereby increased from \$730,421 to \$1,030,421.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-2300-3000).....	\$150,000
State fishing lakes projects (710-00-2300-4320).....	\$1,060,000
Fish hatchery renovation (710-00-2300-3030).....	\$500,000
Bison herd cmpd	
fencing se ks (710-00-2300-4370).....	\$137,500

(m) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

River access (710-00-2245-2830).....	\$25,000
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(n) In addition to the other purposes for which expenditures may be made by the above agency from the highway planning and construction fund for fiscal year 2024, expenditures may be made by the above agency from the following capital

improvement account or accounts of the highway planning and construction fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Flint hills trails.....No limit

(o) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Operations/maintenance (710-00-3418-3418).....No limit

Wetlands acquisition/development (710-00-3418-3420).....No limit

(p) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Federally mandated boating (710-00-3490-3492).....No limit

(q) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wilson (710-00-2670-3520).....\$50,000

Sec. 140.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2025, the following:

Stream monitoring (710-00-1800-1801).....\$224,457

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (710-00-1900-1910).....\$1,946,682

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025:

Provided, however, That expenditures from this account for official hospitality shall not exceed \$2,500: *Provided further*, That, in addition to the other purposes for which

expenditures may be made by the above agency from the operating expenditures account for fiscal year 2025, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2025 to include a provision on the calendar year 2025 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further*, That all moneys received as voluntary contributions to

support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating

expenditures (710-00-1900-1920).....\$2,274,806

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Reimbursement for annual

licenses issued to national

guard members (710-00-1900-1930).....\$36,342

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2025 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual

park permits issued to national

guard members (710-00-1900-1940).....\$17,922

Provided, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2025 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*; That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual

licenses issued to Kansas

disabled veterans (710-00-1900-1950).....\$69,627

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be

expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2025 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however;* That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service-connected disability is equal to or greater than 30%: *And provided further;* That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund (710-00-2300-2890).....\$37,778,738

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2025 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further;* That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2025: *And provided further;* That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: *And provided further;* That expenditures from the wildlife fee fund for official hospitality shall not exceed \$4,000.

Parks fee fund (710-00-2122-2053).....\$14,042,026

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2025 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further;* That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2025: *And provided further;* That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund (710-00-2245-2813).....\$1,164,788

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2025 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further;* That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2025: *And provided further;* That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Central aircraft fund (710-00-6145-6100).....No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to

provide aircraft services to other state agencies and for the purchase of state aircraft insurance: *Provided further*; That the secretary of wildlife and parks is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*; That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*; That all fees received for such services shall be credited to the central aircraft fund.

Department access	
roads fund (710-00-2178-2761).....	\$2,084,033
Wildlife and parks	
nonrestricted fund (710-00-2065-2120).....	No limit
Prairie spirit rails-to-trails	
fee fund (710-00-2025-2030).....	No limit
Plant and animal disease and pest	
control fund (710-00-3360-3361).....	No limit
Nongame wildlife	
improvement fund (710-00-2593-3300).....	No limit
Wildlife conservation	
fund (710-00-2100-2020).....	No limit
Federally licensed wildlife	
areas fund (710-00-2670-3400).....	No limit
State agricultural	
production fund (710-00-2050-5100).....	No limit
Land and water conservation	
fund – state (710-00-3794-3920).....	No limit
Land and water conservation	
fund – local (710-00-3794-3795).....	No limit
Development and	
promotions fund (710-00-2097-2010).....	No limit
Department of wildlife	
and parks private gifts and	
donations fund (710-00-7335-7000).....	No limit
Fish and wildlife	
restitution fund (710-00-2166-2750).....	No limit
Parks restitution fund (710-00-2156-2100).....	No limit
Nonfederal grants fund (710-00-2063-2090).....	No limit
Disaster grants – public	
assistance fund (710-00-3005-3005).....	No limit
Soil/water	
conservation fund (710-00-3083-3083).....	No limit
Navigation projects fund (710-00-3191-3191).....	No limit
Recreation resource	
management fund (710-00-3197-3197).....	No limit
Cooperative endangered species	
conservation fund (710-00-3198-3198).....	No limit
Landowner incentive	
program fund (710-00-3200-3210).....	No limit
Bulletproof vest	

partnership fund (710-00-3216-3216).....	No limit
Recreational trails	
program fund (710-00-3238-3238).....	No limit
Highway planning/	
construction fund (710-00-3333-3333).....	No limit
Americorps – ARRA fund (710-00-3404-3405).....	No limit
Cooperative forestry	
assistance fund (710-00-3426-3426).....	No limit
North America wetland	
conservation fund (710-00-3453-3453).....	No limit
Wildlife services fund (710-00-3485-3485).....	No limit
Fish/wildlife management	
assistance fund (710-00-3495-3495).....	No limit
Fish/wildlife core act fund (710-00-3513-3513).....	No limit
Great plains LCC.....	No limit
USDA grant manual update.....	No limit
Watershed protection/flood	
prevention fund (710-00-3906-3906).....	No limit
Suspense fund (710-00-9159-9000).....	No limit
Employee maintenance deduction	
clearing fund (710-00-9120-9100).....	No limit
Cabin revenue fund (710-00-2668-2660).....	No limit
Feed the hungry fund (710-00-2642-2640).....	No limit
State wildlife grants fund (710-00-3204-3204).....	No limit
Boating safety financial	
assistance fund (710-00-3251-3250).....	No limit
Wildlife restoration fund (710-00-3418-3418).....	No limit
Sport fish restoration fund (710-00-3490-3490).....	No limit
Outdoor recreation	
acquisition, development and	
planning fund (710-00-3794-3794).....	No limit
Publication and other	
sales fund (710-00-2399-2399).....	No limit
<i>Provided, That, in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2025, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: Provided further, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2025: And provided further, That the secretary of wildlife and parks shall report all such expenditures to the governor and legislature as appropriate.</i>	
Free licenses and	
permits fund (710-00-2493-2493).....	No limit
Enforce underage drinking	
law fund (710-00-3219-3219).....	No limit
Migratory bird monitoring (710-00-3504-3504).....	No limit

Voluntary public access (710-00-3557-3557).....	No limit
Energy efficiency/conservation block grant fund (710-00-3157-3157).....	No limit
Endangered species – recovery fund (710-00-3209-3209).....	No limit
Wetlands reserve program fund (710-00-3007-3060).....	No limit
Adaptive science fund (710-00-3015-3050).....	No limit
Economic adjustment assistance fund.....	No limit
Law enforcement agency support fund.....	No limit
Enhanced hunter education program (710-00-3929-3929).....	No limit
White-nose syndrome response (710-00-3904-3904).....	No limit
FHT RAISE grant federal fund.....	No limit
American rescue plan state relief fund (710-00-3756-3536).....	No limit

(d) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2025, from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from any special revenue fund or funds for fiscal year 2025, from which expenditures may be made for salaries and wages, for progression within the existing pay structure for natural resource officers of the Kansas department of wildlife and parks: *Provided, however,* That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the secretary of wildlife and parks shall not require such officer to transfer into the unclassified service in order to progress within the existing pay structure pursuant to this subsection.

(e) Notwithstanding the provisions of K.S.A. 32-9,100, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the Kansas department of wildlife and parks from moneys appropriated from the wildlife fee fund (710-00-2300-2880) of the Kansas department of wildlife and parks for the fiscal year ending June 30, 2025, by this or any other appropriation act of the 2024 regular session of the legislature, expenditures may be made by the above agency from such moneys during fiscal year 2025 to issue senior lifetime hunting and fishing licenses to Kansas resident disabled veterans who are 65 years of age or older: *Provided,* That such licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks: *Provided further,* That, to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions and have a disability certified by the Kansas commission on veterans affairs office as being service-related and such service-connected disability is equal to or greater than 30%.

Sec. 141.

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 140(c) of chapter 82 of the 2023 Session Laws of Kansas on the buildings – rehabilitation and repair account (276-00-4100-8005) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby decreased from \$6,103,480 to \$5,947,395.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 140(c) of chapter 82 of the 2023 Session Laws of Kansas on the buildings – other construction, renovation and repair account (276-00-4100-8070) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby decreased from \$42,045,554 to \$41,159,062.

(c) In addition to the other purposes for which expenditures may be made by the department of transportation from the state highway fund (276-00-4100-4100) for fiscal year 2024, as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from the state highway fund for fiscal year 2024 to review and study the costs and feasibility for a culvert improvement project on the culvert located east of the intersection of east Lungler road and United States highway 54 and United States highway 400 in Augusta, Kansas, for purposes of resolving flooding issues to surrounding industrial parks and commercial property: *Provided*, That the department of transportation shall submit a report on the costs and feasibility of such culvert improvement project to the house committee on appropriations and the senate committee on ways and means on or before April 24, 2024.

Sec. 142.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund (276-00-4100-4100)	No limit
<i>Provided</i> , That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.	
Special city and county	
highway fund (276-00-4220-4220)	No limit
County equalization and	
adjustment fund (276-00-4210-4210).....	\$2,500,000
Highway special	
permits fund (276-00-2576-2576).....	\$0
Highway bond debt	
service fund (276-00-4707-9000).....	No limit
Rail service	
improvement fund (276-00-2008-2100).....	No limit
Transportation	
revolving fund (276-00-7511-1000).....	No limit
Rail service assistance program loan	
guarantee fund (276-00-7502-7200).....	No limit
Railroad rehabilitation loan	
guarantee fund (276-00-7503-7500).....	No limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount that the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2025, in satisfaction of liabilities arising from the unconditional guarantee of payment that was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel sales fund (276-00-2298-2400).....No limit

Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to other state agencies: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to other state agencies: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund (276-00-2572-0300).....No limit

Public use general aviation airport development fund (276-00-4140-4140).....No limit

Highway bond proceeds fund (276-00-4109-4110).....No limit

Communication system revolving fund (276-00-7524-7700).....No limit

Traffic records enhancement fund (276-00-2356-2000).....No limit

Other federal grants fund (276-00-3122-3100).....No limit

Kansas intermodal transportation revolving fund (276-00-7552-7551).....No limit

Conversion of materials and equipment fund (276-00-2256-2256).....No limit

Seat belt safety fund (276-00-2216-2216).....No limit

Driver's education scholarship grant fund (276-00-2851-2851).....No limit

Transportation technology development fund (276-00-2835-2835).....No limit

Broadband infrastructure construction grant fund (276-00-2836-2836).....No limit

Short line rail improvement fund (276-00-2837-2837).....No limit

American rescue plan state relief fund (276-00-3756-3536).....No limit

Passenger rail service revolving fund.....No limit

Provided, That, notwithstanding the provisions of K.S.A. 75-5089, and amendments thereto, or any other statute, expenditures may be made by the above agency from the

passenger rail service revolving fund during the fiscal year ending June 30, 2025, to make loans or grants for the costs of qualifying projects and operating support for Amtrak or any common rail carrier approved by the federal railroad administration for operation of an intercity passenger rail service program to connect Kansas by rail to other member states of the midwest interstate passenger rail commission, the midwest regional rail system, the national passenger rail network and any other passenger rail service operations serving Kansas: *Provided, however,* That no expenditures shall be made from this fund for loans or grants until such loans or grants have been approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2025, from the state highway fund (276-00-4100-4100) for the following specified purposes: *Provided,* That expenditures from the state highway fund for fiscal year 2025, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations (276-00-4100-0403).....\$334,537,478

Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further,* That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees (276-00-4100-2200).....No limit

Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further,* That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conference fees account of the state highway fund: *And provided further,* That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Categorical aid NHTSA national priority (276-00-4100-3035).....No limit

Unmanned aerial systems –

UAS aviation only (276-00-4100-6400).....No limit

Substantial maintenance (276-00-4100-0700).....No limit

Claims (276-00-4100-1150).....No limit

Payments for city

connecting links (276-00-4100-6200).....\$5,360,000

Federal local aid programs (276-00-4100-3000).....No limit

Bond services fees (276-00-4100-0580).....No limit

Other capital improvements (276-00-4100-8075).....No limit

Provided, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2025,

expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation	
and repair (276-00-4100-8005).....	\$5,200,000
Buildings – reroofing (276-00-4100-8010).....	\$659,080
Buildings – other construction, renovation	
and repair (276-00-4100-8070).....	\$6,688,936

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2025, expenditures may be made by the above agency from the state highway fund for fiscal year 2025 from the unencumbered balance as of June 30, 2024, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2025 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2024, subject to the provisions of subsection (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2025.

(d) During the fiscal year ending June 30, 2025, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2025 from the state highway fund (276-00-4100-4100) for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2025 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2025, the director of accounts and reports shall transfer from the motor pool service fund (173-00-6109-4020) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2025, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund (276-00-7503-7500), the director of accounts and reports shall transfer from the state highway fund (276-00-4100-4100) to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2025, from the state highway fund (276-00-4100-4100) to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2025.

(h) Notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2025, the secretary of transportation shall apportion and distribute quarterly, on the first day of January, April,

July and October, to cities on the state highway system from the state highway fund moneys at the rate of \$5,000 per year per lane per mile for the maintenance of streets and highways in cities designated by the secretary as city connecting links: *Provided*, That all moneys so distributed shall be used solely for the maintenance of city connecting links: *Provided further*, That such apportionment shall apply only to those city connecting link lanes maintained by the city, and shall not apply to city connecting link lanes maintained by the secretary pursuant to agreement with the city: *And provided further*, That, as used in this subsection, "lane" means the portion of the roadway for use of moving traffic of a standard width prescribed by the secretary.

(i) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund (276-00-4100-4100) to the public use general aviation airport development fund (276-00-4140-4140) of the department of transportation: *Provided*, That if 2024 Senate Bill No. 272, or any other substantially similar legislation that transfers any moneys from the state highway fund to the public use general aviation airport development fund, is passed by the legislature during the 2024 regular session and enacted into law, then: (1) The director of accounts and reports shall not transfer \$5,000,000 from the state highway fund to the public use general aviation airport development fund pursuant to this subsection; and (2) on July 1, 2024, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect.

(j) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund (276-00-4100-4100) to the passenger rail service revolving fund of the department of transportation.

(k) In addition to other purposes for which expenditures may be made by the department of transportation from the economic development account (276-00-4100-0860) of the state highway fund (276-00-4100-4100) for fiscal year 2025, expenditures shall be made by the above agency from the economic development account of the state highway fund for fiscal year 2025 for the department of transportation's economic development grant program to assist local governments in upgrading county roads impacted by dairy industry expansion in southwest Kansas: *Provided*, That expenditures for such purpose from the economic development account of the state highway fund for fiscal year 2025 shall not exceed \$6,000,000: *Provided further*, That all such expenditures for such purpose shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2025.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from the state highway fund for fiscal year 2025, in an amount of not to exceed \$250,000, to install a tree barrier in the department of transportation right-of-way along interstate highway 135 in Saline county, Kansas: *Provided*, That the east side of such tree barrier shall be along the northbound lane of interstate highway 135 from magnolia road north to dover drive: *Provided further*, That the west side of such tree barrier shall be along the southbound lane of interstate highway 135 from 200 feet north of greenbrier circle south to 200 feet south of cedar creek drive.

Sec. 143. In addition to the other purposes for which expenditures may be made by

the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2025, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2025 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by K.S.A. 46-137a(c), and amendments thereto, an aggregate amount of allowance equal to \$354.15 for the two-week period that coincides with the first biweekly payroll period, which is chargeable to fiscal year 2025 and for each of the 14 ensuing two-week periods thereafter for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2025, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this section for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods, for which such allowance is payable in accordance with this section and which are chargeable to fiscal year 2025.

Sec. 144. (a) On June 30, 2025, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2025, the director of accounts and reports shall determine and notify the director of the budget if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2025, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2025, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2025. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 145.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

State employee pay increase.....\$61,000,000

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state general fund of the salary increase, including associated employer contributions, during fiscal year

2025.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2025, the following:

State employee pay increase.....\$718,307

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2025.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2025, the following:

State employee pay increase.....\$94,514

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state water plan fund of the salary increase, including associated employer contributions, during fiscal year 2025.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2025, the following:

State employee pay increase.....\$18,732

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the children's initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2025.

(e) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2025, the following:

State employee pay increase.....\$8,526

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the Kansas endowment for youth fund of the salary increase, including associated employer contributions, during fiscal year 2025.

(f) Upon recommendation of the director of the budget, the state finance council, acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, is hereby authorized to approve: (1) Increases in expenditure limitations on special revenue funds and accounts and increase the transfers between special revenue funds as necessary to pay the salary increases under this section for the fiscal year ending June 30, 2025; and (2) the expenditure of any remaining moneys in any account appropriated in subsections (a) through (e) to address salary inequities in any state agency as identified by the director of the budget in consultation with the director of personnel services. The director of accounts and reports is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts and increase the transfers between special revenue funds in accordance with such approval for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified for the fiscal year ending June 30, 2025.

(g) (1) Except as provided in subsection (h), effective with the first payroll period chargeable to the fiscal year ending June 30, 2025, all employees in the classified or

unclassified service who are being paid at an hourly rate of \$15.02 or less shall receive an increase to the hourly rate of \$15.03.

(2) Based on the department of administration's 2023 market survey summary, effective with the first payroll period chargeable to the fiscal year ending June 30, 2025, the following executive branch benefits-eligible employees shall receive a salary increase, as close as possible based on the closest available step for classified employees, as follows:

(A) If an employee's class/job title is under market pay by 10% or greater, such employee's salary shall be increased by the percentage that equals the difference between such under market pay percentage and 10% under market or by 5%, whichever is greater.

(B) If an employee's class/job title is under market pay by less than 10% and not greater than 10% over market pay, such employee's salary shall be increased by 5%.

(C) If an employee's class/job title is over market pay by greater than 10%, such employee's salary shall be increased by 2.5%.

(3) Notwithstanding the provisions of paragraph (2), effective with the first payroll period chargeable to the fiscal year ending June 30, 2025, all capitol area guards shall receive a salary increase of 5.0%.

(4) Except as provided in subsection (h), effective with the first payroll period chargeable to the fiscal year ending June 30, 2025, a benefits-eligible employee shall be eligible for a salary increase of two steps for employees in the classified service, including associated employer contributions, and each pay grade of the classified pay matrix shall be extended upward by two steps.

(5) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2025, an executive branch benefits-eligible employee whose class/job title is not listed in such market survey summary and is in the unclassified service shall receive a salary increase of 5.0%.

(6) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2025, all legislative branch state agencies shall receive a sum equivalent to the total of 5.0%, rounded to the nearest penny, of the salaries of all benefits-eligible unclassified employees in such agency, to be distributed as a merit pool.

(7) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2025, the judicial branch shall receive a sum equivalent to the total of 5.0%, rounded to the nearest penny, of the salaries of all benefits-eligible non-judge judicial branch employees in such agency, to be distributed as a merit pool.

(8) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2025, the state board of regents and the universities shall receive a sum equivalent to the total of 2.5%, rounded to the nearest penny, of the salaries of all benefits-eligible employees in such agency, to be distributed as a merit pool.

(h) (1) Notwithstanding the provisions of K.S.A. 46-137a and 46-137b, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to the compensation or bi-weekly allowance paid to each member of the legislature.

(2) Notwithstanding the provisions of K.S.A. 75-3111a, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to state officers elected on a statewide basis.

(3) Notwithstanding the provisions of K.S.A. 75-3120f, and amendments thereto, or

any other statute, the provisions of subsection (g) shall not apply to justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges.

(4) The provisions of subsection (g) shall not apply to:

(A) Teachers and licensed personnel at the Kansas state school for the deaf or the Kansas state school for the blind.

(B) Any other employees on a formal, written career progression plan implemented by executive directive.

(i) After implementation of subsections (g) and (h), the governor is hereby authorized and directed to modify the pay plan for fiscal year 2025 in accordance with this subsection and to adopt such pay plan so modified.

(j) Pursuant to the provisions of K.S.A. 75-2938(f), and amendments thereto, during the fiscal year ending June 30, 2025, the director of personnel services, in consultation with the director of the Kansas bureau of investigation and the superintendent of the Kansas highway patrol, shall modify the Kansas civil service basic pay plan to eliminate the bottom five steps and add five steps to the top of such pay plan for employees assigned to a trooper or officer classification, including the capitol police, of the Kansas highway patrol and Kansas bureau of investigation commissioned officers and forensic scientists.

(k) During the fiscal year ending June 30, 2025: (1) The secretary of administration, in consultation with the director of personnel services, shall conduct a comprehensive study of market pay and benefits of job classifications in both the public and private sectors; and (2) the state board of regents shall conduct a comprehensive study of market pay and benefits of professors and employees at both the public and private postsecondary educational institutions: *Provided*, That on or before January 13, 2025, such studies shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 146.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Regents institutions increase.....\$35,727,371

Provided, That all moneys in the regents institutions increase account shall be used for the purpose of providing each regents institution an amount equal to 5% of each account of the state general fund appropriated for fiscal year 2025 for salaries, contractual services or commodities for each such regents institution.

(b) Except as provided further, each chief executive officer of a regents institution shall certify to the members of the state finance council that such regents institution has eliminated:

(1) Asking for statements of commitment to or requiring examples of past, current or future experience with diversity, equity and inclusion in:

- (A) The application and hiring process for any employee or volunteer position;
- (B) the admissions process;
- (C) the tenure review process;
- (D) the annual review process;
- (E) the promotion process; and
- (F) research proposals; and

- (2) training requirements in diversity, equity and inclusion for any:
 - (A) Employee or volunteer position;
 - (B) student;
 - (C) tenure review;
 - (D) annual review;
 - (E) promotion; and
 - (F) research proposal.

(c) Upon receipt of such certification from any such chief executive officer, the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, is hereby authorized to approve the expenditure of moneys from the regents institutions increase account to provide each regents institution an amount equal to 5% of each account of state general fund for fiscal year 2025 for salaries, contractual services or commodities for each such regents institution, except that such expenditure shall be approved by the governor and six legislative members of the state finance council and that such approval also may be given while the legislature is in session.

(d) If 2024 Substitute for House Bill No. 2460, House Bill No. 2105 or any other legislation that is substantially similar to the provisions of such House Bills is passed by the legislature during the 2024 regular session and enacted into law, then on and after the effective date of such legislation during fiscal year 2025, the state finance council may meet to approve the expenditures of moneys from such account without requiring the certification from the chief executive officers of each regents institution.

(e) For the purposes of this section, "regents institution" means Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, the university of Kansas, the university of Kansas medical center and Wichita state university.

Sec. 147.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Regents institutions aid.....\$21,784,260

Provided, That all expenditures from the regents institutions aid account shall be for the purpose of providing each regents institution an amount equal to each student aid for financial need account for a regents institution and the Washburn university student aid for financial need account of the state general fund appropriated for the state board of regents for fiscal year 2024 as authorized by chapter 82 of the 2023 Session Laws of Kansas.

(b) During fiscal year 2025, the chief executive officer of the state board of regents shall certify to the members of the state finance council that the state board of regents has adopted a policy for expenditures of the comprehensive grant program, including expenditures of the moneys appropriated in section 116(a) of chapter 82 of the 2023 Session Laws of Kansas, in a manner that distributes 50% of such comprehensive grant program moneys to state educational institutions as defined in K.S.A. 76-711, and amendments thereto, and Washburn university and 50% to not-for-profit independent institutions of higher education as defined in K.S.A. 74-32,120, and amendments

thereto.

(c) Upon receipt of such certification from such chief executive officer, the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, is hereby authorized to approve the expenditure of moneys from the regents institutions aid account to provide each regents institution an amount equal to each student aid for financial need account for such regents institution and the Washburn university student aid for financial need account of the state general fund appropriated for the state board of regents for fiscal year 2024 as authorized by chapter 82 of the 2023 Session Laws of Kansas, except that such expenditure shall be approved by the governor and six legislative members of the state finance council and that such approval also may be given while the legislature is in session.

(d) For the purposes of this section, "regents institution" means Fort Hays state university, Kansas state university, Emporia state university, Pittsburg state university, the university of Kansas, the university of Kansas medical center and Wichita state university.

Sec. 148. During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or any special revenue fund or funds for the department of administration for fiscal year 2025 by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the department of administration from the state general fund or from any special revenue fund or funds for fiscal year 2025, for and on behalf of the Kansas department for aging and disability services, to convey, without consideration, all of the rights, title and interest in approximately 15 acres of real estate described in section 145(a) of chapter 82 of the 2023 Session Laws of Kansas, and any improvements thereon, to the Kansas commission on veterans affairs office subject to the provisions, including all contingencies and limitations, of section 145 of chapter 82 of the 2023 Session Laws of Kansas: *Provided, however*, That conveyance of the real property authorized by this section shall not occur in the event the United States department of veterans affairs does not provide funding through its construction grant program for fiscal year 2024 or 2025.

Sec. 149. (a) During the fiscal years ending June 30, 2024, and June 30, 2025, in addition to the other purposes for which expenditures may be made by the state board of regents from moneys appropriated from the state general fund or any special revenue fund or funds for the state board of regents for fiscal year 2024 or 2025 by chapter 82 or 97 of the 2023 Session Laws of Kansas, this act or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the state board of regents from the state general fund or from any special revenue fund or funds for fiscal year 2024 or 2025, for and on behalf of Kansas state university, to sell and convey all of the rights, title and interest subject to all easements and appurtenances in the following described real estate located in the city of Manhattan, Riley county, Kansas:

FRATERNITY KNOLL ADDITION, S12, T10, R07E, Lot 3, ACRES 1.3, (1930 College Heights Road, Manhattan, Riley County, Kansas also known as Parcel ID# 081-211-12-0-40-20-003.00.0) in Riley County, Kansas.

Commencing at a point on the southeast corner of Lot 3 Fraternity Knoll Addition, S12, T10, R07E, 222.44 feet West, thence North 263.31feet, thence East 222.48 feet,

thence South 263.37 feet to the place of beginning.

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and executive officer. All proceeds from the sale and conveyance thereof shall be deposited in the housing system repair, equipment and improvement fund (367-00-5641-4740) of Kansas state university.

(c) No conveyance of real estate authorized by this section shall be made or accepted by the state board of regents until the deeds, titles and conveyances have been reviewed and approved by the attorney general. In the event that the state board of regents determines that the legal description of the real estate described in this section is incorrect, the state board of regents may convey the property utilizing the correct legal description, but the deed conveying the property shall be subject to the approval of the attorney general. The conveyance authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a or 75-6609, and amendments thereto.

Sec. 150. (a) During the fiscal years ending June 30, 2025, and June 30, 2026, notwithstanding the provisions of any statute to the contrary, no state agency named in this or any other appropriation act of the 2024 or 2025 regular session of the legislature shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal years 2025 and 2026 as authorized by this or any other appropriation act of the 2024 or 2025 regular session of the legislature, through grants, direct funds or any other state program providing resources to any federally qualified health center unless the recipient certifies that such recipient will not utilize sensitive patient information for any non-medical purpose not related to the recipient organization's directly provided medical, mental, behavioral health or transit services, or for billing.

(b) For the purposes of this section:

(1) "Federally qualified health center" means the same as defined in K.S.A. 65-1669, and amendments thereto;

(2) "sensitive patient information" means name, date of birth, address, social security number, phone number, email address or any other personally identifiable information collected in the process of serving patients; and

(3) "non-medical purpose" includes, but is not limited to, lobbying, express advocacy or communications for the purposes of effecting election turnout.

Sec. 151. (a) On July 1, 2024, in addition to the provisions of section 64 of chapter 97 of the 2023 Session Laws of Kansas, the provisions of section 144(c), (d) and (e) of chapter 82 of the 2023 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 152.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Debt service

refunding – 2016H (173-00-1000-0464).....\$19,985,062

Provided, That during the fiscal year ending June 30, 2025, expenditures shall be made from the debt service refunding – 2016H account by the above agency, in consultation with the Kansas development finance authority, solely for the purpose of

paying the costs, including transaction costs, of prepaying, redeeming, defeasing or purchasing, on the open market or through a tender offer or other transaction, all of the outstanding maturities of the Kansas development finance authority refunding revenue bonds (state of Kansas projects), series 2016H: *Provided further*, That all such transactions shall be on the terms of and pursuant to all necessary and appropriate agreements by, between or among the above agency, the Kansas development finance authority and such other agencies or parties as deemed necessary by the above agency or the Kansas development finance authority to complete such transactions: *And provided further*, That any 2016H bonds that are purchased on the open market or through a tender offer or other transaction shall promptly be retired: *And provided further*, That the director of the budget, in consultation with the Kansas development finance authority, shall determine any amount required to be paid for arbitrage rebate and yield restriction liability related to such transaction on all of the outstanding maturities of the Kansas development finance authority refunding revenue bonds (state of Kansas projects), series 2016H: *And provided further*, That the director of the budget shall certify the amount of such arbitrage rebate and yield restriction liability to the director of accounts and reports and upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer such certified amount from the state general fund to the 2016H state of Kansas projects rebate account (176-7261- 7259) of the Kansas development finance authority: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *Provided, however*, That if any other legislation that appropriates moneys for the debt service refunding transaction of series 2016H bonds is passed by the legislature during the 2024 regular session and enacted into law, then on the effective date of such legislation, the \$19,985,062 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, by this subsection in the debt service refunding – 2016H account is hereby lapsed.

Debt service

refunding – 2020S (173-00-1000-8564).....	\$4,673,600
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Provided, That during the fiscal year ending June 30, 2025, expenditures shall be made from the debt service refunding – 2020S account by the above agency, in consultation with the Kansas development finance authority, solely for the purpose of paying the costs, including transaction costs, of prepaying, redeeming, defeasing or purchasing, on the open market or through a tender offer or other transaction, all of the outstanding maturities of the Kansas development finance authority taxable refunding revenue bonds (state of Kansas projects), series 2020S: *Provided further*, That all such transactions shall be on the terms of and pursuant to all necessary and appropriate agreements by, between or among the above agency, the Kansas development finance authority and such other agencies or parties as deemed necessary by the above agency or the Kansas development finance authority to complete such transactions: *And provided further*, That any 2020S bonds that are purchased on the open market or through a tender offer or other transaction shall promptly be retired: *Provided, however*, That no expenditures shall be made from this fund for the debt service refunding transaction of series 2020S bonds until such transaction is approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative

delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided however*, That if any other legislation that appropriates moneys for the debt service refunding transaction of series 2020S bonds is passed by the legislature during the 2024 regular session and enacted into law, then on the effective date of such legislation, the \$4,673,600 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, by this subsection in the debt service refunding – 2020S account is hereby lapsed.

Sec. 153.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for

state facilities (173-00-1000-8500).....\$5,000,000

Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Debt service

refunding – 2019F/G (173-00-1000-0465).....\$6,570,820

Debt service

refunding – 2020R (173-00-1000-8563).....\$8,234,075

Debt service

refunding – 2021P (173-00-1000-8562).....\$3,424,500

Debt service refunding –

2020S (173-00-1000-8564).....\$778,000

Provided, That during the fiscal year ending June 30, 2025, expenditures shall be made from the debt service refunding – 2020S account by the above agency, in consultation with the Kansas development finance authority, solely for the purpose of paying the costs, including transaction costs, of prepaying, redeeming, defeasing or purchasing, on the open market or through a tender offer or other transaction, some or all of the outstanding maturities of the Kansas development finance authority taxable refunding revenue bonds (state of Kansas projects), series 2020S: *Provided further*, That all such transactions shall be on the terms of and pursuant to all necessary and appropriate agreements by, between or among the above agency, the Kansas development finance authority and such other agencies or parties as deemed necessary by the above agency or the Kansas development finance authority to complete such transactions: *And provided further*, That any 2020S bonds that are purchased on the open market or through a tender offer or other transaction shall promptly be retired.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund (173-00-7253-7250).....No limit

State facilities gift fund (173-00-7263-7290).....No limit

Master lease program fund (173-00-8732).....No limit

State buildings

depreciation fund (173-00-6149-4500).....	No limit
Executive mansion gifts fund (173-00-7257-7270).....	No limit
Topeka state hospital cemetery memorial gift fund (173-00-7337-7240).....	No limit
Capitol area plaza authority planning fund (173-00-7121-7035).....	No limit

Provided, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt service – state highway fund (173-00-2861-2861).....	No limit
Debt service refunding – 2019F/G – state highway fund (173-00-2823-2823).....	No limit
Debt service refunding – 2020R – state highway fund (173-00-2865-2865).....	No limit
Debt service refunding – 2020S – state highway fund (173-00-2866-2866).....	No limit
Printing plant improvement fund.....	No limit

(c) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund (173-00-2028) for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements
and repair (173-00-2028-2085).....No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund (173-00-6149) for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects –
debt service (173-00-6149-4520).....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2025.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund (173-00-6148) for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Eisenhower building purchase and renovation –
debt service (173-00-6148-4610).....No limit

(f) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund (173-00-2028), the state buildings depreciation fund (173-00-6149), and the state buildings operating fund (173-00-6148) for fiscal year 2025, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2025 from the unencumbered balance as of June 30, 2024, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2024: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2025 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2025.

Sec. 154.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund (300-00-2275) for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2025, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-2275).....No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund (300-00-3275) for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2025, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-3275).....No limit

Sec. 155.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (039-00-8100-8240).....\$8,827,350

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2025 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2025 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Razing of buildings (039-00-8100-8250).....\$3,150,200

Provided, That any unencumbered balance in the razing of buildings account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Biddle courtyard (494-00-8100-8200).....\$492,886

Provided, That any unencumbered balance in the biddle courtyard account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Larned state hospital – city of Larned

wastewater treatment (410-00-8100-8300).....\$129,620

Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Sec. 156.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Capital improvements (296-00-1000-8010).....\$696,000

Provided, That any unencumbered balance in the capital improvements account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property

sale fund (296-00-3336-3110).....No limit

Provided, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund during fiscal year 2025 for the unemployment insurance program: *Provided, however*; That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(c) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund or funds for fiscal year 2025 as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2025 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the

guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however;* That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further;* That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund of the department of labor: *And provided further;* That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2025 by this or other appropriation act of the 2024 regular session of the legislature except upon approval of the state finance council.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund (296-00-2124) for fiscal year 2025, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2025 for the following capital improvement projects: Payment of rehabilitation and repair projects: *Provided,* That expenditures from the workmen's compensation fee fund (296-00-2124-2228) for fiscal year 2025 for such capital improvement purposes shall not exceed \$464,000.

Sec. 157.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and
repair projects (694-00-1000-0904).....\$201,980
Provided, That any unencumbered balance in the veterans cemetery program rehabilitation and repair projects account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and
repair projects (694-00-8100-7100).....\$1,244,612
Veterans' home rehabilitation and
repair projects (694-00-8100-8250).....\$1,738,442

Any unencumbered balance in the northeast Kansas veterans' home account (694-00-8100-8290) in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Kansas soldiers home demolition
of structures (694-00-8100-8252).....\$600,000

Provided, That expenditures may be made by the above agency from this account to preserve or stabilize the junior officers quarters and Walt hall at Fort Dodge: *Provided, however;* That, during the fiscal year ending June 30, 2025, no expenditures shall be

made by the above agency from this account to demolish or prepare for demolition the junior officers quarters or Walt hall at Fort Dodge.

(c) During the fiscal year ending June 30, 2025, no moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, shall be expended by the above agency for fiscal year 2025 to demolish or prepare for demolition the junior officers quarters or Walt hall at Fort Dodge.

Sec. 158.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Rehabilitation and	
repair projects (604-00-8100-8108).....	\$482,986
Security system	
upgrade project (604-00-8100-8130).....	\$277,469
Campus boilers and	
HVAC upgrades (604-00-8100-8145).....	\$1,155,054
Hazardous materials abatement.....	\$180,000
Edlund building improvements.....	\$250,000
Johnson gym improvements.....	\$886,789
Window replacement project.....	\$255,256

Sec. 159.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Utility tunnel repairs.....	\$100,000
Elevator repairs.....	\$220,000

Sec. 160.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....	\$545,128
Campus life safety and security (610-00-8100-8130).....	\$364,149
Campus boilers and	
HVAC upgrades (610-00-8100-8145).....	\$655,000
Electrical service upgrade (610-00-8100-8170).....	\$187,500
Dorm remodel (610-00-8100-8185).....	\$250,000
Hazardous materials abatement.....	\$180,000
ADA playground.....	\$400,000
Utility tunnel repairs.....	\$300,000
Elevator repairs.....	\$307,030
Window replacement project.....	\$260,811

Sec. 161.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (288-00-1000-8088).....\$375,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Museum of history air handling units/chiller replacement (288-00-1000).....\$2,760,000

Any unencumbered balance in the Shawnee mission roofs replacement account (288-00-1000) in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund (288-00-7302) for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2025.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund (288-00-3089) for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the historical preservation grant in aid fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2025.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund, historic properties fee fund, state historical facilities fund, save America's treasures fund, historical society capital improvement fund, law enforcement memorial fund and historical preservation grant in aid fund for fiscal year 2025, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2025 from the unencumbered balance as of June 30, 2024, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2024: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2025 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2025.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Memorial union project –
 - debt service 2020F (379-00-5161-5040).....No limit
- Student housing projects –
 - debt service 2017D (379-00-5169-5050).....No limit
- Twin towers housing project –
 - debt service 2017D (379-00-5120-5030).....No limit
- Parking maintenance projects (379-00-5186-5060).....No limit
- Rehabilitation and repair projects
 - (379-00-2526-2040; 379-00-2069-2010).....No limit
- Student housing projects (379-00-5650-5120;
 - 379-00-5169-5050).....No limit
- Deferred maintenance projects (379-00-2485-2485).....No limit
- Morris central renovation (379-00-2526-2040).....No limit
- Welch stadium renovation (379-00-2526-2040).....No limit
- King hall theatre (379-00-2526-2040).....No limit

(b) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2023.

(c) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(d) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the demolition of buildings account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(e) Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, are hereby reappropriated for fiscal year 2025: State universities facilities capital renewal initiative (379-00-1000-0320) and demolition of buildings (379-00-1000-8510).

(f) In addition to the other purposes for which expenditures may be made by Emporia state university from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025, as authorized by this or other

appropriation act of the 2024 regular session of the legislature, expenditures may be made by Emporia state university from such moneys for fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to upgrade all campus lighting, improve building energy efficiency, implement campus-wide water conservation and replace and upgrade HVAC systems: *Provided*, That such capital improvement project is hereby approved for Emporia state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with such statute: *Provided further*; That Emporia state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$10,200,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction and renovation of such project and, for a period of not more than one year following completion of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*; That Emporia state university shall make provisions for the maintenance of the such capital improvement project.

Sec. 163.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Western Kansas nursing workforce
 development facility improvements.....\$15,000,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field/Wiest hall renovation –
 debt service 2016B (246-00-5103-5020).....No limit
 Memorial union renovation –
 debt service 2005G (246-00-5102-5010).....No limit
 Memorial union addition –
 debt service 2020C (246-00-2510-2040).....No limit
 Memorial union project (246-00-2510-2040).....No limit
 Energy conservation –

debt service (246-00-2035-2000).....	No limit
Wiest hall replacement –	
debt service 2016B (246-00-5103-5020).....	No limit
Deferred maintenance projects (246-00-2483-2483).....	No limit
Forsyth library renovation (246-00-2035-2000).....	No limit
Rarick hall renovation (246-00-2035-2000).....	No limit
Akers energy center project (246-00-2035-2000).....	No limit
Student union rehabilitation and	
repair projects (246-00-5102-5010).....	No limit
Rehabilitation and repair projects	
(246-00-2035-2000; 246-00-2510-2040).....	No limit
Student housing rehabilitation and	
repair projects (246-00-5103-5020).....	No limit
Parking maintenance projects (246-00-5185-5050).....	No limit
Gross coliseum parking lot project	
(246-00-2035-2000; 246-00-5185-5050).....	No limit

(c) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2023.

(d) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(e) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(f) Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, are hereby reappropriated for fiscal year 2025: State universities facilities capital renewal initiative (246-00-1000-0320) and demolition of buildings (246-00-1000-8510).

Sec. 164.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Energy conservation projects –

debt service 2021A, 2012F/H, 2017B (367-00-2062-2000; 367-00-5163-4500).....	No limit
Research initiative debt service 2021A (367-00-2901-2106).....	No limit
Chiller plant project – debt service 2015B (367-00-2062-2000).....	No limit
Recreation complex project – debt service 2021A, 2010G1/2 (367-00-2520-2080).....	No limit
Student union renovation project – debt service 2016A (367-00-2520-2080).....	No limit
Electrical upgrade project – debt service 2017E (367-00-2520-2080; 367-00-2484-2484).....	No limit
Salina student life center project – debt service 2008D (367-00-5111-5120).....	No limit
Childcare development center project – debt service 2019C (367-00-5125-5101).....	No limit
Jardine housing project – debt service 2022D/ 2014D/2015B/2011G-1 (367-00-5163-4500).....	No limit
Wefald dining and residence hall project – debt service 2022D/2014D-2 (367-00-5163-4500).....	No limit
Union parking – debt service 2016A (367-00-5181-4630).....	No limit
Seaton hall renovation – debt service 2016A (367-00-2520-2080).....	No limit
Chemical landfill – debt service refunding 2011G-2 (367-00-2901-2160).....	No limit
Derby dining center project – debt service 2019C (367-00-5163-4500).....	No limit
K-state Salina residence hall – debt service 2022A (367-00-5117-4430).....	No limit
Debt service refunding 2022D (367-00-5163-4500).....	No limit
Capital lease – debt service (367-00-2062-2000; 367-00-520-2080; 367-00-5117-4430).....	No limit
Rehabilitation and repair projects (367-00-2062-2000; 367-00-2062-2080; 367-00-2520-2080; 367-00-2901-2160).....	No limit
Deferred maintenance projects (367-00-2484-2484).....	No limit
Parking maintenance projects (367-00-5181-4638).....	No limit
Student housing projects (367-00-5163-4500; 367-00-5117-4430).....	No limit
Engineering hall renovation project (367-00-2062-2000).....	No limit
Building retro-commissioning project (367-00-2901-2160).....	No limit

(b) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act

compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2023.

(c) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(d) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(e) Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, are hereby reappropriated for fiscal year 2025: State universities facilities capital renewal initiative (367-00-1000-0320) and demolition of buildings (367-00-1000-8510).

(f) In addition to the other purposes for which expenditures may be made by Kansas state university from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures may be made by Kansas state university from such moneys for fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct, renovate, develop and equip the Strong complex residence halls at Kansas state university: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with such statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$25,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction and renovation of such project and, for a period of not more than one year following completion of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of

the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*; That Kansas state university shall make provisions for the maintenance of the Strong complex residence halls.

(g) In addition to the other purposes for which expenditures may be made by Kansas state university from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures may be made by Kansas state university from such moneys for fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct, renovate, develop and equip the pure imagination facility (Kansas advanced immersive research for emerging systems center) on the Salina campus of Kansas state university: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with such statute: *Provided further*; That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$45,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction and renovation of such project and, for a period of not more than one year following completion of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund: *And provided further*; That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*; That Kansas state university shall make provisions for the maintenance of the pure imagination facility (K-AIRES center): *And provided further*; That, notwithstanding the provisions of K.S.A. 75-3739 through 75-3744, and amendments thereto, or any other statute to the contrary, all procurement approvals by the department of commerce concerning such pure imagination facility during fiscal year 2024 shall be deemed to be approvals by Kansas state university and shall not require any resubmission or rebidding.

Sec. 165.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

- Capital lease – debt service
(369-00-2697-1100; 369-00-2921-1200).....No limit
 - Rehabilitation and repair
projects (369-00-2697-1100).....No limit
- Sec. 166.

KANSAS STATE UNIVERSITY
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Capital lease – debt service (368-00-5160-5300).....No limit
 - Rehabilitation and repair projects
(368-00-2129-5500; 368-00-5160-5300;
368-00-2590-5530).....No limit
 - AHU replacement project (368-00-2590-5530).....No limit
 - Mosier lab renovation (368-00-2590-5530).....No limit
- Sec. 167.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

- American center for reading facility.....\$2,000,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Building renovations – debt service 2014A1, 2022E
(385-00-2833-2831; 385-00-5106-5105).....No limit
- Overman student center –
debt service 2014A2 (385-00-2820-2820).....No limit
- Energy conservation projects –
debt service 2011D/D3, 2015M, 2014A-1
(385-00-5165-5050; 385-00-2070-2010;
385-00-5646-5160).....No limit
- Student housing projects – debt service 2011D1,
2020H, 2014A1 (385-00-2833-2831;
385-00-5165-5050).....No limit
- Parking facility – debt service
2020H (385-00-5187-5060).....No limit
- Debt service refunding – 2022E
(385-00-2070-2010; 385-00-5106-5105).....No limit
- Deferred maintenance projects (385-00-2486-2486).....No limit
- Overman student
center project (385-00-2820-2820).....No limit
- Rehabilitation and repair projects

(385-00-2833-2831; 385-00-2070-2010;
 385-00-2529-2040).....No limit
 Student housing maintenance projects (385-00-5646-5160).....No limit
 Parking maintenance projects (385-00-5187-5060).....No limit

(c) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2023.

(d) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by the provisions of this or other appropriation act of the 2024 regular session of the legislature.

(e) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by the provisions of this or other appropriation act of the 2024 regular session of the legislature.

(f) Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, are hereby reappropriated for fiscal year 2025: State universities facilities capital renewal initiative (385-00-1000-0320) and demolition of buildings (385-00-1000-8510).

Sec. 168.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student housing projects –
 debt service 2014C, 2017A,
 2020B, 2021D (682-00-5142-5050).....No limit
 Engineering facility – debt service 2021D
 (682-00-2153-2153; 682-00-2545-2080).....No limit
 Student recreation center –
 debt service 2017A (682-00-2864-2860).....No limit
 Parking facilities – debt service
 2014C, 2017A (682-00-5175-5070).....No limit
 McCollum hall parking facility – debt
 service 2014C (682-00-5175-5070).....No limit
 Energy conservation projects – debt service
 2020B (682-00-2107-2000;

682-00-2545-2080).....	No limit
Energy conservation projects –	
debt service (682-00-2545-2080).....	No limit
Earth, energy and environment center –	
debt service 2017A (682-00-2545-2080).....	No limit
Parking maintenance projects (682-00-5175-5070).....	No limit
Student housing maintenance projects	
(682-00-5621-5110; 682-00-5142-5050;	
682-00-2545-2080; 682-00-2905-2160).....	No limit
Rehabilitation and repair projects	
(682-00-2107-2000; 682-00-2545-2080).....	No limit
Kansas law enforcement training	
center projects (682-00-2133-2020).....	No limit
Rehabilitation and	
repair projects (682-00-2545-2080).....	No limit
Deferred maintenance projects (682-00-2487-2487).....	No limit
Student health facility rehabilitation and	
repair projects (682-00-5640-5120).....	No limit
Student recreation center rehabilitation	
and repair (682-00-2864-2860).....	No limit
Law enforcement training center capital	
improvement ARPA fund (682-00-3756).....	No limit

(b) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2023.

(c) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(d) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(e) Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, are hereby reappropriated for fiscal year 2025: State universities facilities capital renewal initiative (682-00-1000-0420) and demolition of buildings (682-00-1000-8510).

(f) On July 1, 2024, or as soon thereafter as moneys are available, the director of

accounts and reports shall transfer \$20,000,000 from the American rescue plan state relief fund (422-00-3756-3502) of the legislative coordinating council, formerly designated as the legislature employment security fund of the legislative coordinating council, to the law enforcement training center capital improvement ARPA fund (682-00-3756).

Sec. 169.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Health education building –
 - debt service 2017A (683-00-2108-2500).....No limit
- Energy conservation –
 - debt service 2020B (683-00-2108-2500).....No limit
- Hemenway research initiative – debt service
 - 2020B (683-00-2907-2800; 683-00-2108).....No limit
- KUMC research institute – debt service
 - 2020B (683-00-2907-2800; 683-00-2108).....No limit
- Parking garage 3 –
 - debt service 2014C (683-00-5176-5550).....No limit
- Parking garage 4 – debt service
 - 2020B (683-00-5176-5550).....No limit
- Parking garage 5 –
 - debt service 2016C (683-00-5176-5550).....No limit
- Deferred maintenance projects (683-00-2488-2488).....No limit
- Rehabilitation and repair projects
 - (683-00-2108-2500; 683-00-2394-2390;
 - 683-00-2551-2600; 683-00-2907-2800;
 - 683-00-2915-2915).....No limit
- Parking maintenance projects (683-00-5176-5550).....No limit

(b) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2023.

(c) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(d) During the fiscal year ending June 30, 2025, the above agency may make

expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(e) Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, are hereby reappropriated for fiscal year 2025: State universities facilities capital renewal initiative (683-00-1000-0320) and demolition of buildings (683-00-1000-8510).

Sec. 170.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Energy conservation –
 - debt service (715-00-2112-2000).....No limit
- Rhatigan student center –
 - debt service 2020P (715-00-2558-2030).....No limit
- Engineering research lab – debt
 - service 2016J (715-00-2558-2030).....No limit
- Shocker residence hall –
 - debt service 2021L (715-00-5100-5250).....No limit
- Parking garage – debt
 - service 2016J (715-00-5148-5000).....No limit
- Fairmont towers – debt
 - service 2012A2 (715-00-5620-5270).....No limit
- Woolsey hall – school of business
 - debt service 2020P (715-00-2112-2000;
715-00-2558-2030).....No limit
- Flats and suites –
 - debt service 2020P (715-00-5100-5250).....No limit
- Convergence sciences 2 – debt
 - service 2021L (715-00-2558).....No limit
- Honors colleges foundation –
 - debt service (715-00-2112-2000).....No limit
- Deferred maintenance projects (715-00-2489-2489).....No limit
- Rehabilitation and repair projects
 - (715-00-2558-2030; 715-00-2908-2080;
715-00-2558-3000; 715-00-2112-2000).....No limit
- Parking maintenance projects (715-00-5159-5040).....No limit
- Clinton hall shocker student success center –
 - debt service 2022G (715-00-2112-2000;
715-00-2558-2030).....No limit
- Marcus welcome center
 - project (715-00-2558; 715-00-2112-2000).....No limit
- Student housing projects (715-00-5100-5250).....No limit
- NIAR/engineering/industry &

defense projects (715-00-2908-2080;
 715-00-2558-2030; 715-00-2558-3000).....No limit
 Cessna stadium demolition (715-00-2558-2030).....No limit

(b) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2023.

(c) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(d) During the fiscal year ending June 30, 2025, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2024 regular session of the legislature.

(e) Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, are hereby reappropriated for fiscal year 2025: State universities facilities capital renewal initiative (715-00-1000-0320) and demolition of buildings (715-00-1000-8510).

Sec. 171.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

State universities facilities capital
 renewal initiative (561-00-1000-0320).....\$20,000,000

Provided, That any unencumbered balance in the state universities facilities capital renewal initiative account of the state general fund for the above agency or for any institution under the control and supervision of the state board of regents in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the state universities facilities capital renewal initiative account of the state general fund to the state universities facilities capital renewal initiative account of the state general fund of any institution under the control and supervision of the state board of regents, which is hereby created, to be expended by the institution for the state universities facilities capital renewal initiative approved by the state board of regents: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided further*, That any expenditures made by the board of regents or a state educational institution, as

defined in K.S.A. 76-711, and amendments thereto, from such account during fiscal year 2025 shall require a match of nonstate moneys on a \$1-for-\$1 basis, from either the state educational institution or private moneys with such match to be calculated on a project basis and not on a per fiscal year basis.

Demolition of buildings (561-00-1000-8510).....\$5,000,000

Provided, That any unencumbered balance in the demolition of buildings account of the state general fund for the above agency or for any institution under the control and supervision of the state board of regents in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; The state board of regents is hereby authorized to transfer moneys from the demolition of buildings account of the state general fund to a demolition of buildings account of the state general fund of any institution under the control and supervision of the state board of regents, which is hereby created, to be expended by the institution for demolition projects approved by the state board of regents: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided further*; That all expenditures from the demolition of buildings account in fiscal year 2025 shall be only for the demolition or razing of buildings on the campus of state educational institutions as defined by K.S.A. 76-711, and amendments thereto: *Provided, however*; That expenditures of \$750,000 shall be made in fiscal year 2025 for demolition of buildings at Washburn university in Topeka, Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas educational

building fund (561-00-8001-8108).....No limit

Provided, That the state board of regents is hereby authorized to transfer moneys from the Kansas educational building fund to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning, new construction and razing, approved by the state board of regents: *Provided, however*; That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the Kansas educational building fund: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

Sec. 172.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Lansing future prison museum stabilization.....\$490,000

Provided, That all expenditures from the Lansing future prison museum stabilization account shall be for assessing and making stabilization repairs in areas of the Lansing correctional facility to be used for a future prison museum.

Lansing correctional facility career campus (521-00-1000).....\$10,000,000

Provided, That all expenditures made by the above agency from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis.

Sec. 173.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Lansing correctional facility

career campus (521-00-1000).....\$10,000,000

Provided, That all expenditures made by the above agency from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis.

Any unencumbered balance in the priority capital improvement projects account (521-00-1000-0800) in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of

correctional institutions (521-00-8600-8240).....\$4,276,735

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2025 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2025 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Capital improvements –

rehabilitation and repair of juvenile

correctional facilities (521-00-8100-8000).....\$685,144

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2025 from the capital improvements – rehabilitation and repair account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of corrections to be expended during fiscal year 2025 for capital improvement projects approved by the secretary: *Provided further*, That the secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility

infrastructure project (521-00-2834).....No limit
 Correctional industries fund capital unit (522-00-6126-7301).....No limit

(e) In addition to the other purposes for which expenditures may be made by the department of corrections from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025, as authorized by this or other appropriation act of the 2024 regular session of the legislature, expenditures may be made by the department of corrections from such moneys for fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct a central medical and behavioral health support building at the Topeka correctional facility: *Provided*, That such capital improvement project is hereby approved for the department of corrections for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with such statute: *Provided further*, That the department of corrections may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$40,235,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction and renovation of such project and, for a period of not more than one year following completion of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That the department of corrections shall make provisions for the maintenance of the building.

Sec. 174.

ATTORNEY GENERAL –
 KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Rehabilitation and
 repair projects (083-00-1000-0100).....\$300,000
Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.
 Regional crime center and laboratory debt service.....\$3,050,000

(b) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025, as authorized by this or other

appropriation act of the 2024 regular session of the legislature, expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 to provide for the issuance of 20-year bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct, renovate, develop and equip a regional crime center and laboratory in Pittsburg, Kansas: *Provided*, That such capital improvement project is hereby approved for the above agency for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with such statute: *Provided further*; That the above agency may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$40,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction and renovation of such project and, for a period of not more than one year following completion of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund and any appropriate special revenue fund or funds: *And provided further*; That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*; That the above agency shall make provisions for the maintenance of the regional crime center and laboratory.

Sec. 175.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2025, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training center – Salina (280-00-2306-2004).....No limit
Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2025.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund (280-00-2213) for fiscal year 2025, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair (280-00-2213-2401)..... No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2025.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2025, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Scale replacement and rehabilitation and repair of buildings (280-00-2034-1115).....\$575,181

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2025.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2025, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2025 from the unencumbered balance as of June 30, 2024, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2024: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2025 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2025.

(e) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$575,181 from the state highway fund (276-00-4100-4100) of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1115). In addition to the other purposes for which expenditures may be made from the state highway fund during fiscal year 2025 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2025 for support and maintenance of the Kansas highway patrol.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the KHP federal forfeiture – federal fund (280-00-3545) for fiscal year 2025, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair (280-00-3545-3548).....No limit
Troop F storage building (280-00-3545-3545).....No limit
KHP federal forfeiture – new construction.....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the KHP federal forfeiture – federal fund for fiscal year 2025.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Rehabilitation and

repair projects (034-00-1000-8000).....\$3,500,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Any unencumbered balance in excess of \$100 as June 30, 2024, in the following accounts are hereby reappropriated for fiscal year 2025: Hays armory (034-00-1000-8040); SDB remodel (034-00-1000-8030); deferred maintenance (034-00-1000-0700).

Sec. 177.

STATE FAIR BOARD

(a) Any unencumbered balance in the following accounts of the state general fund for the above agency in excess of \$100 as of June 30, 2024, are hereby reappropriated for fiscal year 2025: Bison arena renovation (373-00-1000-8105) and state fair facilities upgrades (373-00-1000-8110).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital

improvements fund (373-00-2533-2500).....No limit

(c) On or before the 10th day of each month during the fiscal year ending June 30, 2025, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Sec. 178.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, are hereby reappropriated for fiscal year 2025: dam repair (710-00-1000-0700), El Dorado shower house (710-00-1000), flint hills trail system (710-00-1000), state parks operating expenditures (710-00-1900-1920).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund (710-00-2178-2760).....No limit

Provided, That, in addition to the other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund (710-00-2045-2070).....No limit

Office of the secretary building fund.....No limit

(c) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,400,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the department access road fund (710-00-2178-2760) of the Kansas department of wildlife and parks.

(d) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the bridge maintenance fund (710-00-2045-2070) of the Kansas department of wildlife and parks.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvement.....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2025.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and
repair projects (710-00-2122-2066).....\$1,260,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2025.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-2245-2840).....\$150,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2025.

River access (710-00-2245-2830).....\$75,000

(h) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development (710-00-2300-2301).....\$300,000

Land acquisition (710-00-2300-3040).....\$400,000

Federally mandated

boating access (710-00-2300-4360).....	\$854,750
Rehabilitation and repair (710-00-2300-3262).....	\$1,290,834
Coast guard boating projects (710-00-2300-3000).....	\$150,000
State fishing lakes projects (710-00-2300-4320).....	\$625,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2025.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation (710-00-2668-2660).....	\$700,046
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2025.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition (710-00-2600-3330).....	\$700,046
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2025.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

FLW-AG Wilson (710-00-2670-3520).....	\$50,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2025.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating safety and financial assistance fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-3251-3251).....	No limit
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2025.

(m) In addition to the other purposes for which expenditures may be made by the

above agency from the state agricultural production fund for fiscal year 2025, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2025 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Pratt Sandhills.....\$50,000

(n) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund, boating fee fund, boating safety and financial assistance fund, wildlife fee fund, wildlife conservation fund, cabin revenue fund, wildlife restoration fund, sport fish restoration program fund, migratory waterfowl propagation and protection fund, nongame wildlife improvement fund, plant and animal disease and pest control fund, land and water conservation fund – local, outdoor recreation acquisition, development and planning fund, recreational trails program fund, federally licensed wildlife areas fund, department of wildlife and parks gifts and donations fund, highway planning/construction fund, state wildlife grants fund, disaster grants – public assistance, nonfederal grants fund, bridge maintenance fund, state agricultural production fund, department access road fund, wildlife restoration fund, state agricultural production fund, highway planning and construction fund, American rescue plan state relief fund, navigation projects fund, other federal grants fund and recreation resource management fund for fiscal year 2025, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2025 from the unencumbered balance as of June 30, 2024, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2024: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2025 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2025.

Sec. 179. K.S.A. 2023 Supp. 2-223 is hereby amended to read as follows: 2-223.

(a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) Except as provided further, on each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities. For the fiscal year ending June 30, ~~2023~~ 2024, notwithstanding the other provisions of this section, on March 1, ~~2023~~ 2024, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the

amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2023~~ 2024 from state fair activities and non-fair days activities through March 1, ~~2023~~ 2024, except that, subject to approval by the director of the budget prior to March 1, ~~2023~~ 2024, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2023~~ 2024, the state fair board may certify an amount on March 1, ~~2023~~ 2024, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2023~~ 2024, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year 2023 2024. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification. For the fiscal year ending June 30, ~~2024~~ 2025, notwithstanding the other provisions of this section, on March 1, ~~2024~~ 2025, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2024~~ 2025 from state fair activities and non-fair days activities through March 1, ~~2024~~ 2025, except that, subject to approval by the director of the budget prior to March 1, ~~2024~~ 2025, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2024~~ 2025, the state fair board may certify an amount on March 1, ~~2024~~ 2025, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2024~~ 2025, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year 2024 2025. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

Sec. 180. K.S.A. 2023 Supp. 12-1775a is hereby amended to read as follows: 12-1775a. (a) Prior to December 31, 1996, the governing body of each city that, pursuant to K.S.A. 12-1771, and amendments thereto, has established a redevelopment district prior to July 1, 1996, shall certify to the director of accounts and reports the amount equal to the amount of revenue realized from ad valorem taxes imposed pursuant to K.S.A. 72-5142, and amendments thereto, within such redevelopment district. Except as provided further, to February 1, 1997, and annually on that date thereafter, the governing body of each such city shall certify to the director of accounts and reports an amount equal to

the amount by which revenues realized from such ad valorem taxes imposed in such redevelopment district are estimated to be reduced for the ensuing calendar year due to legislative changes in the statewide school finance formula. Prior to March 1 of each year, the director of accounts and reports shall certify to the state treasurer each amount certified by the governing bodies of cities under this section for the ensuing calendar year and shall transfer from the state general fund to the city tax increment financing revenue replacement fund the aggregate of all amounts so certified. Prior to April 15 of each year, the state treasurer shall pay from the city tax increment financing revenue replacement fund to each city certifying an amount to the director of accounts and reports under this section for the ensuing calendar year the amount so certified. During fiscal years ~~2023, 2024 and~~ 2025 and 2026, no moneys shall be transferred from the state general fund to the city tax increment financing revenue replacement fund pursuant to this subsection.

(b) There is hereby created the tax increment financing revenue replacement fund, which shall be administered by the state treasurer. All expenditures from the tax increment financing revenue replacement fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or a person or persons designated by the state treasurer.

Sec. 181. K.S.A. 2023 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) (1) ~~On July 1, 2022, July 1, 2023, and July 1, 2024, and July 1, 2025,~~ the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 74-8959, and amendments thereto.

(2) Notwithstanding the provisions of K.S.A. 74-8959, and amendments thereto, to the contrary, during fiscal year ~~2023, fiscal year 2024 and~~ fiscal year 2025 and fiscal year 2026, moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before ~~January 8, 2024, January 13, 2025, and January 12, 2026, and January 11, 2027,~~ the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 182. K.S.A. 2023 Supp. 65-180 is hereby amended to read as follows: 65-180. The secretary of health and environment shall:

(a) Institute and carry on an intensive educational program among physicians, hospitals, public health nurses and the public concerning congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases detectable with the same specimen. This educational program shall include information about the nature of such conditions and examinations for the detection thereof in early infancy in order that measures may be taken to prevent intellectual disability or morbidity resulting from such conditions.

(b) Provide recognized screening tests for phenylketonuria, galactosemia, hypothyroidism and such other diseases as may be appropriately detected with the same specimen. The initial laboratory screening tests for these diseases shall be performed by the department of health and environment or its designee for all infants born in the state. Such services shall be performed without charge.

(c) Provide a follow-up program by providing test results and other information to identified physicians; locate infants with abnormal newborn screening test results; with parental consent, monitor infants to assure appropriate testing to either confirm or not confirm the disease suggested by the screening test results; with parental consent, monitor therapy and treatment for infants with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria or other genetic diseases being screened under this statute; and establish ongoing education and support activities for individuals with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases being screened under this statute and for the families of such individuals.

(d) Maintain a registry of cases including information of importance for the purpose of follow-up services to prevent intellectual disability or morbidity.

(e) Provide, within the limits of appropriations available therefor, the necessary treatment product for diagnosed cases for as long as medically indicated, when the product is not available through other state agencies. In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual meets medicaid eligibility, such individuals' needs shall be covered under the medicaid state plan. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual is not medicaid eligible, but is below 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of between 50% to 100% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual exceeds 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of an amount not to exceed 50% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment.

(f) Provide state assistance to an applicant pursuant to subsection (e) only after it has been shown that the applicant has exhausted all benefits from private third-party payers, medicare, medicaid and other government assistance programs and after consideration of the applicant's income and assets. The secretary of health and environment shall adopt rules and regulations establishing standards for determining eligibility for state assistance under this section.

(g) (1) Except for treatment products provided under subsection (e), if the medically necessary food treatment product for diagnosed cases must be purchased, the purchaser shall be reimbursed by the department of health and environment for costs incurred up to \$1,500 per year per diagnosed child age 18 or younger at 100% of the

product cost upon submission of a receipt of purchase identifying the company from which the product was purchased. For a purchaser to be eligible for reimbursement under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(2) As an option to reimbursement authorized under subsection (g)(1), the department of health and environment may purchase food treatment products for distribution to diagnosed children in an amount not to exceed \$1,500 per year per diagnosed child age 18 or younger. For a diagnosed child to be eligible for the distribution of food treatment products under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(3) In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection.

(h) The department of health and environment shall continue to receive orders for both necessary treatment products and necessary food treatment products, purchase such products, and shall deliver the products to an address prescribed by the diagnosed individual. The department of health and environment shall bill the person or persons who have legal responsibility for the diagnosed patient for a pro-rata share of the total costs, in accordance with the rules and regulations adopted pursuant to this section.

(i) The secretary of health and environment shall adopt rules and regulations as needed to require, to the extent of available funding, newborn screening tests to screen for treatable disorders listed in the core uniform panel of newborn screening conditions recommended in the 2005 report by the American college of medical genetics entitled "Newborn Screening: Toward a Uniform Screening Panel and System" or another report determined by the department of health and environment to provide more appropriate newborn screening guidelines to protect the health and welfare of newborns for treatable disorders.

(j) In performing the duties under subsection (i), the secretary of health and environment shall appoint an advisory council to advise the department of health and environment on implementation of subsection (i).

(k) The department of health and environment shall periodically review the newborn screening program to determine the efficacy and cost effectiveness of the program and determine whether adjustments to the program are necessary to protect the health and welfare of newborns and to maximize the number of newborn screenings that may be conducted with the funding available for the screening program.

(l) There is hereby established in the state treasury the Kansas newborn screening fund that shall be administered by the secretary of health and environment. All expenditures from the fund shall be for the newborn screening program. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee. On July 1 of each year, the director of accounts and reports shall determine the amount credited to the medical assistance fee fund pursuant to K.S.A. 40-3213, and amendments thereto, and shall transfer the estimated portion of such amount that is necessary to fund the

newborn screening program for the ensuing fiscal year as certified by the secretary of health and environment or the secretary's designee to the Kansas newborn screening fund. Such amount shall not exceed \$5,000,000 in fiscal years ~~2023, 2024 and~~ 2025 and 2026.

Sec. 183. K.S.A. 2023 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) Commencing on July 1, 2021, and on the first day of each month thereafter during ~~fiscal year 2023, fiscal year 2024 and~~ fiscal year 2025 and fiscal year 2026, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. During ~~fiscal year 2023, fiscal year 2024 and~~ fiscal year 2025 and fiscal year 2026, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$20,000,000 for each such fiscal year.

(b) Commencing on July 1, ~~2025~~ 2026, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 184. K.S.A. 2023 Supp. 74-8711 is hereby amended to read as follows: 74-8711. (a) There is hereby established in the state treasury the lottery operating fund.

(b) Except as provided by K.S.A. 74-8724 and the Kansas expanded lottery act, and amendments thereto, the executive director shall remit all moneys collected from the sale of lottery tickets and shares and any other moneys received by or on behalf of the Kansas lottery to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the lottery operating fund. Moneys credited to the fund shall be expended or transferred only as provided by this act. Expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director or by a person designated by the executive director.

(c) Moneys in the lottery operating fund shall be used for:

(1) The payment of expenses of the lottery, which shall include all costs incurred in the operation and administration of the Kansas lottery; all costs resulting from contracts entered into for the purchase or lease of goods and services needed for operation of the lottery, including but not limited to supplies, materials, tickets, independent studies and

surveys, data transmission, advertising, printing, promotion, incentives, public relations, communications and distribution of tickets and shares; and reimbursement of costs of facilities and services provided by other state agencies;

- (2) the payment of compensation to lottery retailers;
- (3) transfers of moneys to the lottery prize payment fund pursuant to K.S.A. 74-8712, and amendments thereto;
- (4) transfers to the state general fund pursuant to K.S.A. 74-8713, and amendments thereto;
- (5) transfers to the community crisis stabilization centers fund and clubhouse model program fund of the Kansas department for aging and disability services pursuant to subsection (e);
- (6) transfers to the state gaming revenues fund pursuant to subsection (d) and as otherwise provided by law;
- (7) transfers to the white collar crime fund of the governor pursuant to subsection (f);
- (8) transfers to the problem gambling and addictions grant fund of the department for aging and disability services pursuant to subsection (g);
- (9) transfers to the attracting professional sports to Kansas fund of the department of commerce pursuant to subsection (h); and
- (10) transfers to the county reappraisal fund as prescribed by law.

(d) The director of accounts and reports shall transfer moneys in the lottery operating fund to the state gaming revenues fund created by K.S.A. 79-4801, and amendments thereto, on or before the 15th day of each month in an amount certified monthly by the executive director and determined as follows, whichever is greater:

- (1) An amount equal to the moneys in the lottery operating fund in excess of those needed for the purposes described in subsections (c)(1) through (c)(6); or
- (2) except for pull-tab lottery tickets and shares, an amount equal to not less than 30% of total monthly revenues from the sales of lottery tickets and shares less estimated returned tickets. In the case of pull-tab lottery tickets and shares, an amount equal to not less than 20% of the total monthly revenues from the sales of pull-tab lottery tickets and shares less estimated returned tickets.

(e) (1) Subject to the limitations set forth in paragraph (2), commencing in fiscal year 2020, on or before the 10th day of each month, the director of the lottery shall certify to the director of accounts and reports all net profits from the sale of lottery tickets and shares via lottery ticket vending machines. Of such certified amount, the director of accounts and reports shall transfer 75% from the lottery operating fund to the community crisis stabilization centers fund of the Kansas department for aging and disability services and 25% from the lottery operating fund to the clubhouse model program fund of the Kansas department for aging and disability services.

(2) Moneys transferred pursuant to paragraph (1) shall not exceed in the aggregate \$9,000,000 in fiscal ~~years 2023 and year 2024~~, shall not exceed in the aggregate \$10,000,000 in fiscal year 2025, and shall not exceed in the aggregate \$8,000,000 in fiscal year ~~2025~~ 2026 and each fiscal year thereafter.

(f) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, the first \$750,000 credited to the lottery operating fund from sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the white collar crime fund

established in K.S.A. 2023 Supp. 74-8792, and amendments thereto.

(g) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, after the transfer required under subsection (f) has been made, 2% of the remaining moneys credited to the lottery operating fund from sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the problem gambling and addictions grant fund established in K.S.A. 79-4805, and amendments thereto.

(h) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, after the transfer required under subsection (f) has been made, 80% of the remaining moneys credited to the lottery operating fund from sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the attracting professional sports to Kansas fund established in K.S.A. 2023 Supp. 74-8793, and amendments thereto.

Sec. 185. K.S.A. 2023 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 74-99b01 et seq., and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (h), for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. Such payments shall be reconciled annually. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund, which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and

reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) There is hereby established in the state treasury the national bio agro-defense facility fund, which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 et seq., and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During fiscal years ~~2023, 2024 and 2025~~ and 2026, no moneys shall be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1).

Sec. 186. K.S.A. 2023 Supp. 75-6707 is hereby amended to read as follows: 75-6707. (a) For the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, the director of the budget, in consultation with the director of legislative research, shall certify, at the end of each such fiscal year, the amount of actual tax receipt revenues to the state general fund that is in excess of, or is less than, the amount of estimated tax receipt revenues to the state general fund pursuant to the most recent joint estimate of revenue under K.S.A. 75-6701, and amendments thereto, for such fiscal year, and shall transmit such certification to the director of accounts and reports.

(b) (1) Except as provided in paragraph (2), upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer 50% of such certified excess amount from the state general fund for the fiscal years ending June 30, 2023, ~~June 30, 2024,~~ and June 30, 2025, to the budget stabilization fund established by K.S.A. 75-6706, and amendments thereto.

(2) During the fiscal years ending June 30, 2023, ~~June 30, 2024,~~ and June 30, 2025, if the balance of the budget stabilization fund is 20% or greater of the amount of actual tax receipt revenues to the state general fund at the end of each such fiscal year, no transfers from the state general fund to the budget stabilization fund shall be made pursuant to this subsection. No transfer from the state general fund to the budget stabilization fund shall be made in fiscal year 2025 based on a certification for fiscal year 2024.

(c) If the amount of actual tax receipt revenues to the state general fund is less than the amount of estimated tax receipt revenues to the state general fund, then no transfers

shall be made pursuant to this section.

Sec. 187. K.S.A. 2023 Supp. 76-775 is hereby amended to read as follows: 76-775.

(a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either: (1) The endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution; or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2023,~~ June 30, 2024, June 30, 2025, and June 30, 2026, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund, which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section, and amendments thereto, for a fiscal year is equal to or greater than ~~\$8,000,000~~ \$9,000,000 in fiscal year ~~2011~~ 2024 and in each fiscal year thereafter.

Sec. 188. K.S.A. 2023 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available,

\$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto.

(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto, during the fiscal years ending ~~June 30, 2023~~, June 30, 2024, ~~and~~ June 30, 2025, ~~and~~ June 30, 2026, pursuant to this section.

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 189. K.S.A. 2023 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts that in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years ~~2023~~, 2024 ~~and~~, 2025, 2026, 2027 and 2028; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year ~~2026~~ 2029 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) 65% of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) 35% of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 190. K.S.A. 2023 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts that in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to

the county and city revenue sharing fund during state fiscal years ~~2023, 2024 and, 2025 and 2026~~. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 191. K.S.A. 2023 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to K.S.A. 8-143m, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2023, state fiscal year 2024 or, state fiscal year 2025 or state fiscal year 2026~~; and (3) all transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 192. K.S.A. 2023 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending ~~June 30, 2023; June 30, 2024, or June 30, 2025, or June 30, 2026~~. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the expiration of K.S.A. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 193. K.S.A. 2023 Supp. 82a-955 is hereby amended to read as follows: 82a-955. (a) On July 1, ~~2023 2024 and July 1, 2025~~, the director of accounts and reports shall transfer \$35,000,000 from the state general fund to the state water plan fund. It is the intent of the legislature to provide for the transfer of \$35,000,000 from the state general fund to the state water plan fund on ~~July 1, 2024, July 1, 2025, July 1, 2026, and July 1, 2027~~.

(b) (1) The state water plan fund shall continue to be appropriated and expended for the purposes prescribed in K.S.A. 82a-951, and amendments thereto, except that if an appropriation is made for any fiscal year as intended in subsection (a), on July 1 of such fiscal year, or as soon thereafter on such dates as moneys are available:

(A) \$5,000,000 shall be transferred from the state water plan fund to the water

technical assistance fund established in K.S.A. 2023 Supp. 82a-956, and amendments thereto; and

(B) \$12,000,000 shall be transferred from the state water plan fund to the water projects grant fund established in K.S.A. 2023 Supp. 82a-957, and amendments thereto.

(2) The provisions of this section shall expire on July 1, 2028. On July 1, 2028, the director of accounts and reports shall transfer all moneys in the water technical assistance fund and the water projects grant fund to the state water plan fund and all liabilities of the water technical assistance fund and the water projects grant fund shall be imposed upon the state water plan fund. On July 1, 2028, the water technical assistance fund and the water projects grant fund shall be abolished.

(c) (1) (A) Notwithstanding any restrictions in K.S.A. 82a-951, and amendments thereto, the Kansas water authority may recommend to the legislature the appropriation of up to 10% of the unencumbered balance of the state water plan fund to be used to supplement salaries of existing state agency full-time equivalent employees and for funding new full-time equivalent positions created to implement the state water plan. Moneys from such appropriation may be used to supplement existing positions, but such moneys shall not be used to replace state general fund moneys, any fee fund moneys or other funding for positions existing on July 1, 2023.

(B) Eligible full-time equivalent positions that moneys may be used for pursuant to this paragraph include engineers, geologists, hydrologists, environmental scientists, attorneys, resource planners, grant specialists and any other similar positions.

(2) If at least two conservation districts present a joint proposal to the Kansas water authority for a position or positions to provide shared services to all districts involved in such proposal, the Kansas water authority may recommend that moneys be used to supplement the salary or salaries of such position or positions pursuant to paragraph (1).

(3) The Kansas water authority shall encourage funding requests from state and local entities that cooperate with qualified nonprofit entities on projects that provide a direct benefit to water quantity and quality, including water infrastructures that are both natural and constructed, and include matching funds from non-state sources.

(4) The Kansas water authority may direct the Kansas water office to provide funding pursuant to K.S.A. 2023 Supp. 82a-956 or 82a-957, and amendments thereto, for the improvement of water infrastructure in an unincorporated area related to or serving a national park site or state historic site if the request for funding is made by a nonprofit organization or state agency that is willing to administer the moneys and oversee the project, and the Kansas water authority deems such applicant capable of successfully managing the project. Upon receipt of such a request, the Kansas water office may award moneys in any fiscal year prior to July 1, 2028, with such awarding of moneys to be made at the discretion of the Kansas water office.

(5) The Kansas water authority shall encourage the creation of grant programs for stockwatering conservation projects. Such grant programs shall prioritize the use of fees collected pursuant to K.S.A. 82a-954(a)(3), and amendments thereto.

(d) All reporting requirements established in K.S.A. 82a-951, and amendments thereto, shall continue and such reporting requirements shall apply to the water technical assistance fund established in K.S.A. 2023 Supp. 82a-956, and amendments thereto, and the water projects grant fund established in K.S.A. 2023 Supp. 82a-957, and amendments thereto.

Sec. 194. K.S.A. 2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107,

74-8711, 74-99b34, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 82a-955 are hereby repealed.

Sec. 195. If any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical accounting code.

Sec. 196. *Severability.* If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared to be severable.

Sec. 197. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 198. *Savings.* (a) Any unencumbered balance as of June 30, 2024, in any special revenue fund, or account thereof, of any state agency named in this act that is not otherwise specifically appropriated or limited for fiscal year 2025 by this or any other appropriation act of the 2024 regular session of the legislature is hereby appropriated for the fiscal year ending June 30, 2025, for the same use and purpose as the same was heretofore appropriated.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund or the correctional institutions building fund, or to any account of any of such funds.

Sec. 199. During the fiscal year ending June 30, 2025, all moneys that are lawfully credited to and available in any bond special revenue fund and that are not otherwise specifically appropriated or limited by this or other appropriation act of the 2024 regular session of the legislature are hereby appropriated for the fiscal year ending June 30, 2025, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority for the payment of debt service for bonds issued by the Kansas development finance authority or for any related purpose in accordance with applicable bond covenants.

Sec. 200. *Federal grants.* (a) During the fiscal year ending June 30, 2025, each federal grant or other federal receipt that is received by a state agency named in this act

and that is not otherwise appropriated to that state agency for fiscal year 2025 by this or other appropriation act of the 2024 regular session of the legislature is hereby appropriated for fiscal year 2025 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor until the governor has authorized the state agency to make expenditures therefrom.

(b) In addition to the other purposes for which expenditures may be made by any state agency that is named in this act and that is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2025 by this act or any other appropriation act of the 2024 regular session of the legislature to apply for and receive federal grants during fiscal year 2025, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor until the governor has authorized the state agency to make expenditures therefrom.

Sec. 201. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2024 regular session of the legislature and having an unencumbered balance as of June 30, 2024, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2025, for the same uses and purposes as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2023.

Sec. 202. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2024 regular session of the legislature and having an unencumbered balance as of June 30, 2024, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2025, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2023.

Sec. 203. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2024 regular session of the legislature and having an unencumbered balance as of June 30, 2024, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2025, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2023.

Sec. 204. Any transfers of moneys during the fiscal year ending June 30, 2025,

from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2025.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 6; in line 7, by striking all before the period and inserting "making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 75-6707, 76-775, 76-7,107, 79-2964, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

TROY WAYMASTER

KYLE HOFFMAN

HENRY HELGERSON

Conferees on part of House

RICK BILLINGER

JR CLAEYS

PAT PETTEY

Conferees on part of Senate

Senator Billinger moved the Senate adopt the Conference Committee Report on **SB 28**.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 26; Nays 12; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Petersen, Pettey, Pittman, Reddi, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Erickson, Francisco, Holland, O'Shea, Olson, Peck, Pyle, Shallenburger, Steffen, Straub, Tyson.

Present and Passing: Sykes.

Absent or Not Voting: Ryckman.

The call was lifted.

Without objection, Senator Sykes passed on **SB 28**.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

The true test of fiscal responsibility is not how the legislature manages the people's budget in a deficit, but how the budget is managed when there is a surplus. Times of surplus require added restraint, the ability to not frivolously spend surplus dollars on pet projects for the chosen few, but to instead wisely invest the taxpayers' dollars in needs that have been fully vetted by this chamber, savings for a rainy day and meaningful tax relief. For example, it is disappointing to see last-minute favors granted to pay for an

opera house and trees when I think about how the money could be spent on our foster care children and social workers. Our constituents deserve to know that their taxes are being squandered, and they deserve better than this. I hope this body can continue to refine the budget process to be just. —KRISTEN O'SHEA

One reason I vote no on the CCR for **SB 28** is because the committee took out the language of my amendment requiring a vote of the legislature accepting the 93% pay increase. —DENNIS PYLE

I voted NO on **SB 28** because I believe and live the Republican Party Platform tenet of small government. Disappointingly, from 2020 to 2024, this super-majority Republican legislature has grown the state general fund expenditures by 25%. Our promotion of a tax system full of tax credits and abatements, preventing a level playing field fair to all Kansans, is very disappointing as well. We are better than this!—MARK STEFFEN

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 143** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 143, as follows:

On page 1, in line 26, by striking "such" and inserting "an"; in line 27, after "company" by inserting "inspector";

On page 3, in line 18, after the stricken material by inserting "'Elevator inspector" means an individual engaged in the business of inspecting elevators.'"; in line 19, before "Elevator" by inserting "(g)";

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

Also on page 3, in line 41, before the first "mechanic" by inserting "inspector or"; in line 42, after "of" by inserting "such";

On page 4, in line 10, before "such" by inserting "or an elevator is installed or reinstalled,"; in line 14, by striking "the"; in line 15, by striking all before the comma and inserting "July 1, 2024"; in line 16, after "act" by inserting "as provided by paragraph (1)"; in line 18, after "thereto" by inserting "as provided by paragraph (1)";

On page 5, following line 1, by inserting:

"(3) In the alternative to an application pursuant to paragraph (2), any individual wishing to engage in the business of inspecting elevators shall make application for an elevator inspector's license in such form and manner as prescribed by the state fire marshal and shall pay the required initial application fee, which shall not exceed \$250. An applicant shall provide proof of compliance with the insurance requirements set forth in K.S.A. 2023 Supp. 44-1808, and amendments thereto";

Also on page 5, in line 27, after "(d)" by inserting "An elevator inspector license shall be issued, upon application, to an applicant that:

(1) Holds a certification as an elevator inspector from the American national standards institute; or

(2) holds a certificate of completion of an elevator inspector program provided

through a postsecondary educational institution or similar program or passes an equivalency examination prepared by the state fire marshal.

(e)";

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

On page 6, in line 1, before "mechanic" by inserting "inspector, licensed elevator"; in line 20, after "contractor" by inserting ", licensed elevator mechanic"; also in line 20, after "of" by inserting "such"; in line 25, by striking all after "report"; by striking all in line 26; in line 27, by striking "report" and inserting ", except that load tests shall be performed on all elevators every six years, including, if the elevator maintenance agreement does not include any provision for load testing, elevators otherwise exempt from the requirements of this section pursuant to subsection (c)(2). Such load tests may be performed by a licensed elevator mechanic, licensed elevator contractor, employee of such a licensee or an insurance company inspector. The first load test required pursuant to this section shall be as follows:

(1) For elevators installed on and after July 1, 2024, within six years of the date of installation; and

(2) for elevators installed prior to July 1, 2024, within six years of July 1, 2024.";

Also on page 6, in line 28, by striking all after "(c)"; by striking all in line 29; in line 30, by striking "(d)"; in line 35, before "any" by inserting "except for the performance of load tests as required by subsection (b).";

On page 7, in line 4, by striking "the" and inserting "an"; also in line 4, after the second "company" by inserting "inspector";

On page 8, in line 8, before the period by inserting ", the date of installation of the elevator and a certification that a load test has been performed on such elevator when required by K.S.A. 44-1815, and amendments thereto, the results of the load test and the date such test was performed"; in line 17, after the period by inserting "If the elevator maintenance agreement does not include any provision for load testing, any such application for renewal shall, in addition, be accompanied by a certification that a load test has been performed on such elevator when required by K.S.A. 44-1815, and amendments thereto, the results of the load test and the date such test was performed."; in line 24, after "company" by inserting "inspector"; in line 39, after "elevator" by inserting "installed before July 1, 2024,"; in line 40, by striking "except";

On page 1, in the title, in line 12 after "conducted" by inserting "only"; in line 14, after the semicolon by inserting "establishing educational and testing licensing options for elevator inspectors.";

And your committee on conference recommends the adoption of this report.

SEAN TARWARTER

JESSE BORJON

JASON PROBST

Conferees on part of House

MIKE PETERSEN

TIM SHALLENBURGER

ETHAN CORSON

Conferees on part of Senate

Senator Petersen moved the Senate adopt the Conference Committee Report on **H Sub SB 143**.

On roll call, the vote was: Yeas 36; Nays 1; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pittman.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 172** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

SEAN TARWATER

JESSE BORJON

JASON PROBST

Conferees on part of House

MICHAEL THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

On motion of Senator Kloos the Senate adopted the conference committee report on **H Sub SB 172**, and requested a new conference be appointed.

The President appointed Senators Thompson, Kloos and Faust-Goudeau as a second Conference Committee on the part of the Senate on **H Sub SB 172**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 172** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 172, as follows:

On page 1, in line 20, by striking "8" and inserting "9"; in line 36, by striking all after "(A)";

On page 2, by striking all in lines 1 through 6; in line 7, by striking "(G)" and inserting "Any foreign adversary, as such term is defined by 15 C.F.R. § 7.4, as in effect on April 1, 2024; and

(B)";

On page 4, in line 28, by striking "150" and inserting "100"; in line 42, by striking "and"; in line 43, by striking all before "shall";

On page 5, in line 1, by striking all after "property"; by striking all in lines 2 through

6; in line 7, by striking all before the period; in line 8, by striking "(3)" and inserting "(2)"; in line 31, by striking all after "(a)"; by striking all in lines 32 through 34; in line 35, by striking all before "violation" and inserting "The attorney general shall investigate any suspected"; in line 36, by striking all after (b); in line 37, by striking all before "the" and inserting "A foreign principal who is subject to the requirements of section 3, and amendments thereto, may enter into an agreement with the attorney general to divest such foreign principal's interest in real property not more than 360 days from entering into such agreement.

(c);

On page 6, following line 2, by inserting:

"(d) (1) Upon a determination by a court of competent jurisdiction that the defendant has violated the requirements of section 3, and amendments thereto, the defendant shall have not more than 180 days from the date of such determination to divest such defendant's interest in such real property or to otherwise come into compliance with the provisions of section 3, and amendments thereto.

(2) If such defendant is ordered by the court to divest such defendant's interest in the real property and such defendant had acquired such interest prior to July 1, 2024, such defendant may file a claim against the state pursuant to article 9 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, for any difference in the sales price of the real property caused by such court-ordered divestiture.";

Also on page 6, in line 19, by striking "and" and inserting a comma; in line 20, after "senate" by inserting ", the standing committee on federal and state affairs of the house of representatives and the standing committee on federal and state affairs of the senate. Such report shall detail the implementation of the Kansas land and military installation protection act and include the attorney general's recommended amendments to the definition of country of concern, if any"; following line 37, by inserting:

"New Sec. 8. On or before March 1 of each year, Kansas state university shall use available data and resources to prepare and submit a report to the legislature and the attorney general detailing the status and trends of all foreign land holdings of real property within the state of Kansas.";

Also on page 6, in line 38, by striking "7" and inserting "8"; in line 39, by striking "7" and inserting "8"; in line 42, by striking "7" and inserting "8";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "land" by inserting "and";

And your committee on conference recommends the adoption of this report.

SEAN TARWARTER

JESSE BORJON

Conferees on part of House

MICHAEL THOMPSON

RICK KLOOS

Conferees on part of Senate

The motion of Senator Thompson to adopt the conference committee report on **H Sub SB 172** failed.

On roll call, the vote was: Yeas 19; Nays 14; Present and Passing 1; Absent or Not Voting 6.

Yeas: Alley, Baumgardner, Blasi, Bowers, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, Olson, Pettey, Pittman, Reddi, Shallenburger, Sykes, Ware.

Present and Passing: Dietrich.

Absent or Not Voting: Billinger, Claey's, Doll, McGinn, O'Shea, Ryckman.

The Conference Committee Report was not adopted

EXPLANATION OF VOTE

Growing government, growing the AG office and growing litigation against the state. That's what this bill does. It needs to be pointed out the Senate chamber was invited to a "briefing," a closed door caucus under the auspices of "security" - all for a bill that is unconstitutional on many fronts. Because this bill requires forced divestiture, without rights to seek appeal or redress, we will likely force small businesses into lengthy, expensive court proceedings and that's not just JoCo, but all across the state. This bill assumes all people and companies covered under this bill are guilty, without even a chance to prove innocence, absent a long and expensive court battle. This is not the AMERICAN way. I vote "no."—CINDY HOLSCHER

Senators Francisco and Pettey requests the record to show they concur with the "Explanation of Vote" offered by Senator Holscher on **H Sub SB 172**.

Having voted on the prevailing side, Senator Shallenburger motioned to reconsider previous action. Motion carried.

Senator Shallenburger motioned to not adopt the Conference Committee Report on **H Sub SB 172** and appoint a new conference. Motion carried.

The President appointed Senators Thompson, Kloos and Faust-Goudeau as third conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 232** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

SUSAN HUMPHRIES

BOB LEWIS

DAN OSMAN

Conferees on part of House

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

On motion of Senator Warren the Senate adopted the conference committee report on **H Sub SB 232**, and requested a new conference be appointed.

The President appointed Senators Warren, Wilborn and Corson as a second Conference Committee on the part of the Senate on **H Sub SB 232**.

CONFERENCE COMMITTEE REPORT

Senator Thompson motioned to not adopt the Conference Committee Report on **H Sub SB 271** and appoint a new conference. The motion was adopted by voice vote.

The President appointed Senators Thompson, Kloos and Faust-Goudeau as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 271** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 271 with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 23 through 36;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 24; following line 24, by inserting:

"Section 1. (a) In addition to the provisions of K.S.A. 75-3739, and amendments thereto, and any other applicable statutes concerning purchases, a governmental agency shall not purchase or acquire any drone or any related services, maintenance agreements or equipment, the critical components of which were:

- (1) Produced in any country of concern; or
- (2) produced or owned by any foreign principal.

(b) When a governmental agency determines that a critical component must be replaced, the governmental agency may use any replacement component acquired prior to July 1, 2027, but no new replacement component shall be acquired from any foreign principal, unless such component cannot be procured from another source.

(c) Any acquisition that is otherwise prohibited under subsection (a) or (b) may be completed by a governmental agency if:

(1) There is no other reasonable means to acquire such critical components or of addressing the needs of the governmental agency necessitating such acquisition;

(2) the agreement for such acquisition is approved by the secretary of administration after consultation with the adjutant general; and

(3) failure to acquire such critical components or otherwise address the needs of the governmental agency would pose a greater threat to the safety and security of this state than that posed by entering into such acquisition agreement.

(d) The provisions of this section shall not apply to any contract or agreement entered into prior to July 1, 2024.

(e) As used in sections 1 and 2, and amendments thereto:

(1) "Company" means any:

(A) For-profit corporation, partnership, limited partnership, limited liability partnership, limited liability company, joint venture, trust, association, sole proprietorship or other organization, including any:

(i) Subsidiary of such company, a majority ownership interest of which is held by such company;

(ii) parent company that holds a majority ownership interest of such company; and

(iii) other affiliate or business association of such company whose primary purpose is to make a profit; or

(B) nonprofit organization.

(2) (A) "Country of concern" means the following:

(i) People's republic of China, including the Hong Kong special administrative region;

(ii) republic of Cuba;

(iii) islamic republic of Iran;

(iv) democratic people's republic of Korea;

(v) Russian federation; and

(vi) Bolivarian republic of Venezuela.

(B) "Country of concern" does not include the republic of China (Taiwan).

(3) "Critical component" means those components or subcomponents that are:

(A) Distinct and serviceable articles; and

(B) the primary component or subcomponent of an identifiable process or subprocess necessary to the recording, storing or transmitting of data or any other form of information.

(4) "Domicile" means the country where a:

(A) Company is organized;

(B) company completes a substantial portion of its business; or

(C) majority of a company's ownership interest is held.

(5) "Drone" means an unmanned aircraft that is controlled remotely by a human operator or operates autonomously through computer software or other programming.

(6) "Foreign principal" means:

(A) The government or any official of the government of a country of concern;

(B) any political party, subdivision thereof or any member of a political party of a country of concern;

(C) any corporation, partnership, association, organization or other combination of persons organized under the laws of or having its principal place of business in a country of concern. "Foreign principal" includes any subsidiary owned or wholly controlled by any such entity;

(D) any agent of or any entity otherwise under the control of a country of concern;

(E) any individual whose residence is in a country of concern and who is not a citizen or lawful permanent resident of the United States; or

(F) any individual, entity or combination thereof described in paragraphs (A) through (E) that has a controlling interest in any company formed for the purpose of manufacturing, distributing, transporting or selling critical components for drones and related services and equipment.

(7) "Governmental agency" means the state or any political or taxing subdivision of the state or any office, agency or instrumentality thereof.

(8) "State-level agency" means any department, authority, bureau, division, office or other governmental agency of this state.

Sec. 2. (a) (1) Except as provided by paragraph (2), no state-level agency shall enter into a contract or agreement to procure final or finished goods or services from a foreign principal.

(2) A state-level agency may enter into a contract or agreement to procure final or finished goods or services from a foreign principal if such foreign principal:

(A) Previously received a determination that there are no unresolved national security concerns and action under 50 U.S.C. § 4565, as in effect on July 1, 2024, that has concluded with respect to a covered transaction, if such foreign principal has not undergone a change in control constituting a covered control transaction, since such determination to conclude action was made; or

(B) has a national security agreement in effect on July 1, 2024, with the committee on foreign investment in the United States, or the United States department of defense, under 50 U.S.C. § 4565, as in effect on July 1, 2024, and maintains such national security agreement.

(b) The provisions of this section shall not apply to any contract or agreement entered into prior to July 1, 2024.";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 2 through 19; in line 20, by striking all before the period and inserting "prohibiting the acquisition of critical components of drone technology from counties of concern; relating to state contracts; prohibiting state-level agencies from procuring final or finished goods or services from a foreign principal";

And your committee on conference recommends the adoption of this report.

SEAN TARWATER

JESSE BORJON

JASON PROBST

Conferees on part of House

MICHAEL THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

Senator Thompson moved the Senate adopt the Conference Committee Report on **H Sub SB 271**.

Senator Fransisco's motion to not adopt the Conference Committee Report and appoint a new conference failed.

Upon the showing of 10 hands a motion to Call the Question was requested. The motion prevailed by voice vote.

On roll call, the vote was: Yeas 21; Nays 12; Present and Passing 1; Absent or Not Voting 6.

Yeas: Alley, Baumgardner, Blasi, Bowers, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettet, Pittman, Reddi, Sykes, Ware.

Present and Passing: Tyson.

Absent or Not Voting: Billinger, Claeys, Doll, McGinn, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 292** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, following line 33, by inserting:

"New Sec. 3. No member of the state military forces may be placed in confinement in immediate association with enemy prisoners, both foreign and domestic, or other foreign nationals who are not members of the armed forces.

New Sec. 4. (a) A person punished under K.S.A. 48-2301, and amendments thereto, by a company-grade commanding officer who considers the findings unsupported by the evidence or the punishment unjust or disproportionate to the offense can demand from the commanding officer a de novo review of the findings and punishment.

(1) Upon such demand, any punishment shall be stayed and the hearing record, evidence and supporting documents under K.S.A. 48-2301, and amendments thereto, shall be forwarded to the next superior field-grade commander.

(2) Upon receipt of such evidence, the next superior commander shall obtain a written legal review of the matter and, after providing the accused an opportunity to be heard, make a written decision on:

- (A) Whether to uphold or reverse any finding of guilt; and
- (B) whether to uphold, mitigate or reduce any punishment.

(b) A person punished under K.S.A. 48-2301, and amendments thereto, by a field-grade commanding officer, or an officer of a general or flag rank in command who considers the punishment unjust or disproportionate to the offense can, through the proper channel, appeal to the next superior commander within 10 days of being informed about the punishment.

(1) The appeal shall be promptly forwarded and decided, but the person punished may be required to undergo the punishment. The superior commander may exercise the same powers with respect to the punishment imposed in K.S.A. 48-2301(f), and amendments thereto.

(2) Before acting on an appeal, the superior commander in charge of the appeal must give the accused the opportunity to be heard and can refer the case to a judge advocate for consideration and advice. The manner in which the opportunity to be heard is exercised at the sole discretion of the superior commander.

(c) A person punished under K.S.A. 48-2201, and amendments thereto, is entitled to one appeal but is not entitled to any appeal under this section.

New Sec. 5. (a) The imposition and enforcement of disciplinary punishment under K.S.A. 48-2301, and amendments thereto, for any act or omission does not bar a trial by a civilian court of competent jurisdiction for a serious crime or offense related to the same act or omission and not properly punishable under this code.

(b) The enforcement of a disciplinary punishment may be shown by the accused during trial proceedings and, when shown, shall be considered in the determination of punishment if the accused is found guilty.

New Sec. 6. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person is:

- (1) In a training leadership position with respect to a specially protected junior

member of the armed forces; and

(2) engages in prohibited sexual activity with such specially protected junior member of the armed forces.

(b) Any person subject to this code shall be punished at the direction of a commanding officer if they are:

(1) A military recruiter and engage in prohibited sexual activity with an applicant for military service;

(2) a military recruiter and engage in prohibited sexual activity with a specially protected junior member of the armed forces who is enlisted under a delayed entry program; or

(3) a military cadre and engages in prohibited sexual activity with a specially protected junior member of the armed forces who is enlisted under a delayed entry program.

(c) Consent is not a defense for any conduct listed in this section.

(d) As used in this section:

(1) "Applicant for military service" means a person who, under regulations prescribed by the secretary of the military department concerned, is an applicant for original enlistment or appointment in the United States armed forces or state military forces.

(2) "Military recruiter" means a person who, under regulations prescribed by the secretary of the military department concerned, has the primary duty to recruit persons for military service.

(3) "Prohibited sexual activity" means, as specified in military regulations, inappropriate physical intimacy under circumstances described in such regulations.

(4) "Specially protected junior member of the armed forces" means:

(A) A member of the armed forces or state military forces who is assigned to, or is awaiting assignment to, basic training or other initial active duty for training, including a member who is enlisted under a delayed entry program;

(B) a member of the armed forces or state military forces who is a cadet, midshipmen, an officer candidate or a student in any other officer qualification program; and

(C) a member of the armed forces or state military forces in any program that, by regulation prescribed by the secretary of the military department concerned, is identified as a training program for initial career qualification.

(5) "Training leadership position" means any person subject to this code that is assigned or attached to a unit whose primary purpose is the recruitment of members into the United States armed forces or state military forces or who serve as faculty, staff, drill instructor or in other leadership position in:

(A) A basic training program;

(B) a training program for entry into the United States armed forces or state military forces;

(C) a reserve officers' training unit;

(D) an officers' candidate school; or

(E) any program that is identified as a training program or initial career qualification.

New Sec. 7. Any person subject to this code shall be guilty of the offense of sexual harassment and shall be punished at the direction of a commanding officer if such

person's conduct meets the following elements:

(a) Such person made sexual advances, demands or requests for sexual favors or knowingly engaged in other conduct of a sexual nature;

(b) such conduct was unwelcome; and

(c) under the circumstances, such conduct:

(1) Would cause a reasonable person to believe, and such person did believe, that submission to such conduct would be made, either explicitly or implicitly, a term or condition of a person's job, pay, career, benefits or entitlements;

(2) would cause a reasonable person to believe, and such person did believe, that submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting such person's job, pay, career, benefits or entitlements; or

(3) was so severe, repetitive or pervasive that a reasonable person would perceive, and such person did perceive, an intimidating, hostile or offensive work environment.

New Sec. 8. (a) Any sentinel or lookout who is drunk, sleeps or leaves while on post before being regularly relieved shall be punished at the direction of a commanding officer.

(b) Any sentinel or lookout who loiters or wrongfully sits down on post shall be punished at the direction of a commanding officer.

New Sec. 9. (a) Any person subject to this code who, knowing that another person is a sentinel or lookout, uses wrongful and disrespectful language that is directed toward and within the hearing of the sentinel or lookout, who is in execution of duties as a sentinel or lookout, shall be punished at the direction of a commanding officer.

(b) Any person subject to this code who, knowing that another person is a sentinel or lookout, behaves in a wrongful and disrespectful manner that is directed toward and within the sight of the sentinel or lookout, who is in execution of duties as a sentinel or lookout, shall be punished at the direction of a commanding officer.

New Sec. 10. Any person subject to this code shall be punished at the direction of a commanding officer if such person willfully:

(a) Alters, conceals, removes, mutilates, obliterates or destroys a public record; or

(b) takes a public record with the intent to alter, conceal, remove, mutilate, obliterate or destroy such public record.

New Sec. 11. Any person subject to this code shall be punished at the direction of a commanding officer if such person intentionally:

(a) Falsely makes or alters any signature or any part of any writing that would, if genuine, impose a legal liability on another or change their legal rights or liability; or

(b) utters, offers, issues or transfers such writing, known by the person to be so made or altered.

New Sec. 12. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person willfully impersonates:

(1) An officer, noncommissioned officer or petty officer;

(2) an agent of superior authority of one of the armed forces or state military forces; or

(3) a government official.

(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person, with intent to defraud, impersonates any person referred to in subsection (a).

(c) Any person subject to this code shall be punished at the direction of a commanding officer if such person, without intent to defraud, impersonates a government official by committing an act that exercises or asserts the authority of the office of the official being impersonated.

New Sec. 13. Any person subject to this code shall be punished at the direction of a commanding officer if such person:

(a) Is not authorized to wear an insignia, decoration, badge, ribbon, device or lapel button; and

(b) wrongfully wears such insignia, decoration, badge, ribbon, device or lapel button upon the person's uniforms or civilian clothing.

New Sec. 14. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person wrongfully takes any mail before such mail is delivered to or received by the addressee, with the intent to obstruct the correspondence, or to pry into the business secrets of any person or organization.

(b) Any person subject to this code shall be punished at the direction of a commanding officer if they wrongfully open, destroy or steal mail before such mail is delivered to or received by the addressee.

New Sec. 15. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person:

(1) Is the driver of a vehicle that is involved in an accident that results in a personal injury or property damage; and

(2) wrongfully leaves the scene of the accident without providing:

(A) Assistance to an injured person; or

(B) personal identification to others involved in the accident or to appropriate authorities.

(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person:

(1) Is a passenger in a vehicle that is involved in an accident that results in personal injury or property damage;

(2) is the superior commissioned or noncommissioned officer of the driver or commander of the vehicle; and

(3) wrongfully and unlawfully orders, causes or permits the driver to leave the scene of the accident without providing:

(A) Assistance to an injured person; or

(B) personal identification to others involved in the accident or to appropriate authorities.

New Sec. 16. Any person subject to this code shall be punished at the direction of a commanding officer if such person willfully and wrongfully:

(a) Discharges or brandishes a firearm under any circumstances that endanger a human life; or

(b) causes a reasonable person to be apprehensive of the potential endangerment of human life.

New Sec. 17. (a) Any person subject to this code shall be guilty of simple assault and shall be punished at the direction of a commanding officer if such person:

(1) Attempts to do bodily harm to another person;

(2) offers to do bodily harm to another person; or

(3) does bodily harm to another person.

(b) As used in this section, "another person" means a member, cadet, trainee or recruit of the state military forces, the United States armed forces or the state military forces of another state.

New Sec. 18. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person commits a violent offense against a spouse, intimate partner or immediate family member of such person.

(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person, with the intent to threaten or intimidate a spouse, intimate partner or immediate family member of such person, commits an offense under this code against:

- (1) Any person; or
- (2) any property, including animals.

(c) Any person subject to this code shall be punished at the direction of a commanding officer if such person, with the intent to threaten or intimidate a spouse, intimate partner or immediate family member of such person, violates a protection order.

(d) Any person subject to this code shall be punished at the direction of a commanding officer if such person, with the intent to commit a violent offense against a spouse, intimate partner or immediate family member of such person, violates a protection order.

New Sec. 19. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person communicates a threat to injure the person, property or reputation of another.

(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person communicates a threat to injure the person or property of another by use of:

- (1) An explosive;
- (2) a weapon of mass destruction;
- (3) a biological or chemical agent, substance or weapon; or
- (4) a hazardous material.

(c) Any person subject to this code shall be punished at the direction of a commanding officer if such person maliciously communicates a false threat concerning the person or property of another by use of:

- (1) An explosive;
- (2) a weapon of mass destruction;
- (3) a biological or chemical agent, substance or weapon; or
- (4) a hazardous material.

(d) As used in this section, "false threat" means a threat that, at the time it is communicated, is known to be untrue by the person communicating the threat.

New Sec. 20. (a) Any person subject to this code is guilty of wrongful distribution of intimate visual images or visual images of sexually explicit conduct and shall be punished at the direction of a commanding officer if such person:

(1) Knowingly and wrongfully broadcasts or distributes an intimate visual image of another person or a visual image of sexually explicit conduct involving a person who:

(A) Is at least 18 years of age at the time the intimate visual image or visual image of sexually explicit conduct was created;

(B) is identifiable from the intimate visual image or visual image of sexually

explicit conduct or from information displayed in connection with the intimate visual image or visual image of sexually explicit conduct; and

(C) does not explicitly consent to the broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct;

(2) knows or reasonably should have known that the intimate visual image or visual image of sexually explicit conduct was made under circumstances in which the person depicted in the intimate visual image or visual image of sexually explicit conduct retained a reasonable expectation of privacy regarding any broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct;

(3) knows or reasonably should have known that the broadcast or distribution of the intimate visual image or visual image of sexually explicit conduct is likely to:

(A) Cause harm, harassment, intimidation, emotional distress or financial loss for the person depicted in the intimate visual image or visual image of sexually explicit conduct; or

(B) harm substantially the depicted person with respect to that person's health, safety, business, calling, career, financial condition, reputation or personal relations; or

(4) engaged in conduct that had a reasonably direct connection to a military mission or military environment.

(b) As used in this section:

(1) "Broadcast" means to electronically transmit a visual image with the intent that it be viewed by a person or persons.

(2) "Distribute" means to deliver to the actual or constructive possession of another person, including transmission by mail or electronic means.

(3) "Intimate visual image" means a visual image that depicts the private area of a person.

(4) "Private area" means the naked or underwear-clad genitalia, anus, buttocks or female areola or nipple.

(5) "Reasonable expectation of privacy" means circumstances in which a reasonable person would believe that a private area of the person, or sexually explicit conduct involving that person, would not be visible to the public.

(6) "Sexually explicit conduct" means actual or simulated genital-to-genital contact, oral-to-genital contact, anal-to-genital contact or oral-to-anal contact, whether between persons of the same or opposite sex, bestiality, masturbation or sadistic or masochistic abuse.

(7) "Visual image" means:

(A) Any developed or undeveloped photograph, picture, film or video;

(B) any digital or computerized image, picture, film or video made by any means, including those transmitted by any means, including streaming media not stored in a permanent format; or

(C) any digital or electronic data capable of conversion into a visual image.

New Sec. 21. (a) Any person subject to this code shall, if the conditions in subsection (b) are satisfied, be punished at the direction of a commanding officer if such person induces another person to:

(1) Take an oath; and

(2) falsely testify, depose or make a statement upon such oath.

(b) The conditions referred to in subsection (a) are the following:

(1) The oath is administered regarding a matter for which such oath is required or

authorized by law.

(2) The oath is administered by a person that has the authority to do so.

(3) Upon making such oath, the other person willfully makes or attests to a statement.

(4) The statement is material to the proceedings.

(5) The statement is false.

(6) When the statement is made or attested to, the person subject to this code and the person induced into such conduct do not believe such statement is true.

New Sec. 22. Any person subject to this code shall be punished at the direction of a commanding officer if such person engages in conduct intending to influence, impede or otherwise obstruct the due administration of justice.

New Sec. 23. Any person subject to this code shall be punished at the direction of a commanding officer if such person:

(a) Knows another person has committed a serious offense; and

(b) wrongfully conceals the commission of the offense and fails to make the commission of the offense known to civilian or military authorities as soon as possible.

New Sec. 24. Any person subject to this code shall be punished at the direction of a commanding officer if such person, in the presence of a court-martial, a board of officers, a military commission, a court of inquiry, a preliminary hearing or an officer taking a deposition for the state of Kansas or the United States, wrongfully refuses to qualify as a witness or to answer a question after having been directed to do so by the presiding authority.

New Sec. 25. Any person subject to this code shall be punished at the direction of a commanding officer if such person knows that one or more persons authorized to make searches and seizures are seizing, about to seize or are endeavoring to seize property then destroy, remove or otherwise dispose of the property with the intent to prevent the seizure of such property.

New Sec. 26. Any person subject to this code shall be punished at the direction of a commanding officer if such person has reason to believe that an adverse administrative action is pending against any person subject to this code and:

(a) Intentionally acts to influence, impede or obstruct the conduct of the proceeding; or

(b) acts to obstruct the due administration of justice.

New Sec. 27. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person:

(1) Occupies an official position or has official duties; and

(2) wrongfully asks for, accepts or receives something of value with the intent to have the person's decision or action influenced regarding an official matter in which the state of Kansas or the United States is interested.

(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person:

(1) Wrongfully promises, offers or gives something of value to a person who occupies an official position or has official duties; and

(2) intends to influence the decisions or actions of the person regarding an official matter in which the state of Kansas or the United States is interested.

New Sec. 28. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person:

(1) Occupies an official position or has official duties; and
(2) wrongfully asks for, accepts or receives something of value as compensation for or in recognition of services rendered or to be rendered by the person regarding an official matter in which the state of Kansas or the United States is interested.

(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person promises, offers or gives something of value to a person who occupies an official position or who has official duties as compensation for or in recognition of services rendered by such person regarding an official matter in which the state of Kansas or the United States is interested.

New Sec. 29. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person, with the knowing intent to defraud and obtain money, property, services or something of value, uses:

(1) A stolen credit card, debit card or other access device;
(2) a revoked, canceled or otherwise invalid credit card, debit card or other access device; or
(3) a credit card, debit card or other access device without the authorization of a person whose authorization is required for such use.

(b) As used in this section:

(1) "Access device" means the same as defined in 18 U.S.C. § 1029.
(2) "Credit card" and "debit card" mean cards issued on behalf of the United States government or the state of Kansas or because of the member's service in the state military forces.

New Sec. 30. Any person subject to this code shall be guilty of extortion and be punished at the direction of a commanding officer if such person communicates threats to another person with the intention to obtain something of value or any acquittance, advantage or immunity.

New Sec. 31. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person, without legal justification or lawful authorization:

(1) Knowingly and wrongfully views the private area of another person without the other person's consent and when that other person has a reasonable expectation of privacy;

(2) knowingly photographs, videotapes, films or records by any means the private area of another person without that other person's consent and when that other person has a reasonable expectation of privacy; or

(3) knowingly broadcasts or distributes any such recording that the person knew or reasonably should have known was made under the circumstances prescribed in paragraphs (1) and (2).

(b) Any person subject to this code shall be punished at the direction of a commanding officer and is guilty of forcible pandering if such person compels another person to engage in an act of prostitution with any person.

(c) Any person subject to this code shall be punished at the direction of a commanding officer and is guilty of indecent exposure if such person intentionally exposes, in an indecent manner, the genitalia, anus, buttocks or female areola or nipple.

(d) In this section:

(1) "Act of prostitution" means a sexual act or sexual contact as defined in UCMJ article 120 and where the person performing the act receives something of value in

return.

(2) "Another person" or "other person" means a member of the state military forces, the United States armed forces, the state military forces from another state, a cadet, a candidate, a trainee or a recruit.

(3) "Broadcast" means to electronically transmit a visual image with the intent that it be viewed by a person or persons.

(4) "Distribute" means to deliver to the actual or constructive possession of another, including transmission by electronic means.

(5) "Indecent manner" means conduct that amounts to a form of immorality relating to sexual impurity that is grossly vulgar, obscene and repugnant to common propriety and tends to excite sexual desire or deprave morals with respect to sexual relations.

(6) "Private area" means the naked or underwear-clad genitalia, anus, buttocks or female areola or nipple.

(7) "Reasonable expectation of privacy" means circumstances in which a reasonable person would believe that:

(A) The person could disrobe in privacy without being concerned that an image of a private area of the person is being captured; or

(B) a private area of the person would not be visible to the public.

New Sec. 32. (a) Any person subject to this code shall be punished at the direction of a commanding officer if such person takes or threatens to take an adverse personnel action or withholds or threatens to withhold a favorable personnel action with the intent to:

(1) Retaliate against any person for reporting or planning to report a criminal or military offense;

(2) retaliate against any person making or planning to make a protected communication; or

(3) discourage any person from reporting or planning to report a criminal or military offense.

(b) As used in this section:

(1) "Covered individual or organization" means any recipient of communication specified in 10 U.S.C. § 1034(b)(1)(B)(i) through (v).

(2) "Inspector general" means the same as defined in 10 U.S.C. § 1034(j).

(3) "Protected communication" means:

(A) A lawful communication to a member of congress or an inspector general; or

(B) a communication to a covered individual or organization in which a member of the armed forces or state military forces complains of or discloses information that the member reasonably believes constitutes evidence of the following:

(i) A violation of law or regulation prohibiting sexual harassment or unlawful discrimination; or

(ii) gross mismanagement, a gross waste of funds, an abuse of authority or a substantial and specific danger to public health or safety.

(4) "Unlawful discrimination" means discrimination on the basis of race, color, religion, sex or national origin.

New Sec. 33. Army regulation 27-10, military justice, air force instruction 51-201, administration of military justice, and air force instruction 51-202, nonjudicial punishment, may be used to effectuate the purpose and provisions of this code to the extent they are consistent with this code.

New Sec. 34. Nothing in this code precludes administrative action against a person subject to this code for an offense, military or non-military, as allowed by law or regulation.

New Sec. 35. The provisions of this code are severable. If any portion of the code is declared unconstitutional or invalid, or the application of any portion of the code to any person or circumstance is held unconstitutional or invalid, the invalidity shall not affect other portions of the code that can be given effect without the invalid portion or application, and the applicability of such other portions of the code to any person or circumstance shall remain valid and enforceable.

New Sec. 36. Any person subject to this code shall be punished at the direction of a commanding officer if such person willfully disobeys a lawful command of such person's superior commissioned officer.;

On page 12, following line 9, by inserting:

"Sec. 55. K.S.A. 48-2101 is hereby amended to read as follows: 48-2101. In this act, unless the context otherwise requires:

(1) "State military forces" means the national guard of the state, as defined in ~~section 101 (3) of title 32, of the~~ United States Code, and any other military force organized under the laws of the state when not in a status subjecting the state military forces to exclusive federal jurisdiction under title 10 of chapter 47 of the United States Code. The unorganized militia, state defense force, state national guard, home guard or any other name of any state force that does not meet this definition shall be part of the state military forces under this code.

(2) "Officer" means both a commissioned or warrant officer.

(3) "Commanding officer" includes only commissioned officers of the state military forces and shall include officers in charge only when administering nonjudicial punishment under K.S.A. 48-2301, and amendments thereto. The term "commander" has the same meaning as "commanding officer" unless otherwise noted.

(4) "Superior commissioned officer" means a commissioned officer superior in rank or command.

(5) "Enlisted member" means ~~any~~ a person serving in an enlisted grade.

(6) "Grade" means a step or degree, in a graduated scale of office or military rank, that is established and designated as a grade by law or regulation.

(7) "Rank" means the order of precedence among members of the state military forces.

(8) "~~Active~~ State active duty" means full-time duty in the ~~active state~~ military service of the state forces under an order of the governor issued under authority vested in the governor by law, ~~performance of regular duties by technicians, regularly scheduled drills and other legally called assemblies and paid for by state funds,~~

(9) "Duty status other than state active duty" ~~includes active state duty and means~~ any other type of state military duty duty not in federal service and not full-time duty in the active service of the state, under an order issued by authority of law, including travel to and from such duty.

(10) "~~Military court~~" means a court-martial, a court of inquiry, or a provost court.

(11) "~~Military judge~~" means an official of a general or special court-martial detailed in accordance with this code.

(12)(10) "~~State judge advocate-general~~" means the ~~commissioned officer~~ judge

advocate appointed by the adjutant general who is responsible for supervising the administration of the military justice in the state military forces, overseeing and managing all legal personnel and services of the state military forces and military legal matters therein and for the administration of military justice.

~~(13)(11)~~ "Accuser" means a person who signs and swears to charges, any person who directs that charges nominally be signed and sworn to by another, and any person who has an interest other than an official interest in the prosecution of the accused.

~~(14)(12)~~ "Military" refers to any or all of the armed forces.

~~(15)~~ "Convening authority" includes, in addition to the person who convened the court, a commissioned officer commanding for the time being, or a successor in command.

~~(16)(13)~~ "May" is used in a permissive sense. The words "no person may ..." means that no person is required, authorized, or permitted to do the act prescribed.

~~(17)(14)~~ "Shall" is used in an imperative, mandatory sense.

~~(18)(15)~~ "Code" means this act or the Kansas code of military justice.

~~(19)(16)~~ "Hostile force Enemy" means enemy any hostile force designated as such by the United States, designated terrorist group or organized group designated by the proper civil authority that causes or perpetuates an insurrection against the United States or state of Kansas, rioters, looters, dissidents; and others opposing or interfering with law and order.

~~(20)(17)~~ "Judge advocate" means: a commissioned officer of the organized state military forces who is a member in good standing of the state bar of Kansas and is:

(a) An officer of the Certified or designated as a judge advocate in the judge advocate general's corps of the army or the, air force, navy, marine corps or space force, or of the state military forces designated as a law specialist and as an officer of the coast guard or a reserve component of the armed forces; or

(b) an officer of the air force or the marine corps who is designated as a certified as a non-federally recognized judge advocate under regulations promulgated under this provision by the state judge advocate or a designee as competent to perform such military justice duties required by this code; or

(c) an officer of the coast guard who is designated as a law specialist.

~~(21)~~ "Record," when used in connection with the proceedings of a court-martial, means:

(a) An official written transcript, written summary or other writing relating to the proceedings; or

(b) an official audiotape, videotape or similar material from which sound, or sound and visual images, depicting the proceedings may be reproduced.

~~(22)~~ For further definition of military terms refer to the dictionary of United States army terms (AR 310-25).

~~(18)~~ "Cadet" or "candidate" means a person who is enrolled in or attending a state military academy, a regional training institute or any other formal education program for the purpose of becoming a commissioned officer in the state military forces.

~~(19)~~ "Classified information" means:

(a) Any information or material that has been determined by an official of the United States or any state in accordance with law, an executive order or regulation to require protection against unauthorized disclosure for reasons of national or state security; and

(b) any restricted data, as defined in 42 U.S.C. § 2014(y).

(20) "Day" means a calendar day and is not synonymous with the term "unit training assembly." Any punishment authorized by this code that is measured in days shall, when served in a status other than annual training, be construed to mean successive duty days.

(21) "Military offenses" means those offenses punishable under the KCMJ and prescribed under chapter 48 of the Kansas Statutes Annotated, and amendments thereto.

(22) "National security" means the national defense and foreign relations of the United States.

(23) "Commissioned officer" includes a commissioned warrant officer.

(24) "Pay" means the federal active duty base pay in accordance with current United States department of defense military pay tables.

(25) "Open hearing" and "open proceeding" means a hearing or a proceeding that is open to and may be attended by members of the state military forces except for any member who is a witness in such hearing.

(26) "UCMJ" means the uniform code of military justice as defined in title 10 of chapter 47 of the United States Code and put into effect by an executive order of the president of the United States.

Sec. 56. K.S.A. 48-2102 is hereby amended to read as follows: 48-2102. ~~This code applies to all members of the state military forces (a) The following persons who are not in federal service under a call or order of the president of the United States are subject to this code:~~

(1) Members of the state military forces; and

(2) all other persons lawfully ordered to duty as part of the state military forces, from the dates they are required by the terms of the ordered or other directive to obey the code.

(b) A person may not be punished for any offense provided in this code unless:

(1) The offense was committed while the person was in a duty status during the time of the offense or was properly ordered to be in a duty status for the duration of the offense; or

(2) the offense charged shares a nexus to the military status, duty or assignment of the person.

(c) For purposes of this section, the required nexus of connection with military status, duty or assignment is conclusively established for offenses for which there is no equivalent offense in the criminal laws of this state and for offenses involving:

(1) Wrongful use, possession, manufacture, distribution or introduction of a controlled substance as described in K.S.A. 48-3035a, and amendments thereto; or

(2) the state military forces.

(d) Subject-matter jurisdiction is established if a nexus exists between an offense, either military or non-military, and the state military forces. State military forces have primary jurisdiction of military offenses, as defined in K.S.A. 48-2101, and amendments thereto, when persons subject to this code are in a duty status or were properly ordered to be in a duty status. A proper civilian court, except as provided in subsection (e), has primary jurisdiction of an offense when an act or omission violates both this code and local criminal law, foreign and domestic, and when a person subject to this code was neither in a duty status nor properly ordered into a duty status. In such a case involving a military offense, nonjudicial punishment may be initiated only after

the civilian authority has declined to prosecute or has dismissed the charges, provided that jeopardy has not attached. Jurisdiction over attempted crimes, conspiracy crimes, solicitation and accessory crimes shall be determined by the underlying offense.

(e) State military forces have primary jurisdiction of any offense under this code that involves a person subject to the this code when in a duty status, when properly ordered to be in a duty status or when a military nexus exists and specifically includes the wrongful use, possession, manufacture or introduction of a controlled substance as defined in Article 112a of the KCMJ.

Sec. 57. K.S.A. 48-2103 is hereby amended to read as follows: 48-2103. (a) ~~Each person discharged from the state military forces who is later charged with having fraudulently obtained a discharge is, subject to K.S.A. 48-2708, subject to trial by court-martial on that charge and is, after apprehension, subject to this code while in the custody of the military for that trial. Upon conviction of that charge such person is subject to trial by court-martial for all offenses under this code committed before the fraudulent discharge.~~

(b)—No person who has deserted from the state military forces may be relieved from amenability to the jurisdiction of this code by virtue of a separation from any later period of service.

~~(e)~~(b) The fact that any person charged with an offense under this code is separated from the service while proceedings are pending or while undergoing sentence shall not affect the jurisdiction of any ~~court-martial proceeding.~~

Sec. 58. K.S.A. 48-2105 is hereby amended to read as follows: 48-2105. (a) This code applies throughout the state to all times and places, provided that the person subject to the code is in a duty status or subject to this code under K.S.A. 48-2102, and amendments thereto. This grant of military jurisdiction shall neither preclude nor limit civilian jurisdiction over an offense, limited only by the prohibition of double jeopardy. It also applies to all persons otherwise subject to this code while they are serving outside the state, and while they are going to and returning from such service outside the state, in the same manner and to the same extent as if they were serving inside the state.

(b) Courts-martial Nonjudicial punishment may be convened and courts of inquiry may be convened and held in units of the state military forces while those units are serving outside the state with the same jurisdiction and powers as to persons subject to this code as if the proceedings were held inside the state, and offenses committed outside the state may be tried and punished either inside or outside the state.

Sec. 59. K.S.A. 48-2106 is hereby amended to read as follows: 48-2106. (a) The governor, on the recommendation of the adjutant general, shall appoint an officer of the state military forces as staff judge-advocate general advocates in each component of the state's military forces or such judge advocate's designee shall make frequent inspections in the field under the supervision of the administration of military justice in that force. To be eligible for appointment, an officer must be a member of the bar of the highest court of the state and must have been a member of the bar of the state for at least five (5) years.

~~(b) The adjutant general may appoint as many assistants to the judge-advocate general as he or she considers necessary who shall be designated assistant judge-advocates. To be eligible for appointment, assistant judge-advocates must be officers of the state military forces and members of the bar of the highest court of the state.~~

~~(e) Convening authorities~~ (b) Commanding officers shall at all times communicate directly with their staff judge advocates in matters relating to the administration of military justice; ~~and the staff. The~~ judge advocate of any command is entitled to communicate directly with the staff judge advocate of a superior or subordinate command; or with the state judge advocate ~~general~~.

~~(d)(c)~~ No person who has acted as member, military judge, trial counsel, assistant trial counsel, defense counsel, assistant defense counsel, or investigating officer, or who has been a witness for either the prosecution or defense, in any case, may later act as staff a judge advocate to any reviewing authority upon the same case.

Sec. 60. K.S.A. 48-2201 is hereby amended to read as follows: 48-2201. (a) Apprehension is the taking of a person into custody.

(b) Any person authorized by ~~regulations governing the state military forces this code or by title 10 of chapter 47 of the United States Code or by regulations issued under either~~, to apprehend persons subject to this code, ~~any marshal of a court-martial appointed pursuant to the provisions of this code~~, and any law enforcement officer having authority to apprehend offenders under the laws of the United States or of a state or municipality; may do so upon reasonable belief that an offense has been committed and that the person apprehended committed it.

(c) Commissioned officers, warrant officers and noncommissioned officers have authority to quell quarrels, frays and disorders among persons subject to this code and to apprehend persons subject to this code who take part therein.

~~(d) Any~~ No person authorized by this article to apprehend persons subject to this code nor the place where such offender is restrained, held or otherwise housed subject to this code ~~who misses a movement to annual training or state active duty or is absent without leave from annual training or state active duty, may be apprehended and delivered to the person's commanding officer pursuant to a warrant issued by a military judge based upon probable cause. Apprehension under this subsection may be made by military police, security police or civilian law enforcement officers may require payment of any fee or charge for receiving, apprehending, confining, restraining, holding or otherwise housing a person except as otherwise provided by law.~~

Sec. 61. K.S.A. 48-2203 is hereby amended to read as follows: 48-2203. (a) Arrest is the restraint of a person by an order, not imposed as a punishment for an offense, directing the person to remain within certain specified limits. Confinement is the physical restraint of a person.

(b) An enlisted member may be ordered into arrest or confinement by any commissioned officer by an order, oral or written, delivered in person or through other persons subject to this code or through any person authorized by this code to apprehend persons. A commanding officer may authorize warrant officers or noncommissioned officers to order enlisted members of such officers' command or subject to such officers' authority into arrest or confinement.

(c) A commissioned officer, ~~or~~ warrant officer or a civilian subject to this code may be ordered ~~apprehended or~~ into arrest or confinement only by a commanding officer to whose authority such commissioned officer or warrant officer is subject, by an order, oral or written, delivered in person or by a commissioned officer. The authority to order such persons apprehended or into arrest or confinement may not be delegated.

(d) No person may be ordered apprehended or into arrest or confinement except for probable cause.

(e) This section does not limit the authority of persons authorized to apprehend offenders to secure the custody of an alleged offender until proper authority may be notified.

Sec. 62. K.S.A. 48-2204 is hereby amended to read as follows: 48-2204. Any person subject to this code charged with an offense under this code may be ordered into arrest or confinement, as circumstances may require; ~~but when charged only with an offense normally tried by a summary court-martial, such person shall not ordinarily be placed in confinement.~~ When any person subject to this code is placed in arrest or confinement prior to trial, immediate steps shall be taken to inform the person of the specific wrong of which the person is accused and to try the person or to dismiss the charges and release the person, in accordance with regulations promulgated by the governor.

Sec. 63. K.S.A. 2023 Supp. 48-2301 is hereby amended to read as follows: 48-2301. (a) ~~(1)~~ Under such regulations as the governor may prescribe, any commanding officer may impose disciplinary punishments for minor military offenses without the intervention of a court-martial pursuant to this article. ~~For purposes of this article, commanding officer shall include officers in charge under this code.~~

~~(2)~~ Only the governor, the adjutant general or an officer of a general or flag rank in command may delegate the powers under this article to a principal assistant who is a member of the state military forces.

(b) Any company-grade commanding officer may in addition to or in lieu of admonition or reprimand, after holding a hearing in which the accused is entitled to be present, impose not more than two of the following disciplinary punishments upon enlisted members of the officer's command:

- (1) ~~An admonition;~~
- (2) ~~a reprimand;~~
- (3) ~~the Withholding of privileges for not more than six months, which need not be consecutive two consecutive weeks;~~
- (2) extra duties for not more than two consecutive weeks and not to exceed two hours per day, holidays included;
- (4)(3) the forfeiture of not more than seven days' pay;
- (5)(4) a fine of not more than seven days' pay; or
- (6)(5) a reduction to the next inferior pay grade, if the grade from which demoted is within the promotion authority of the officer imposing the reduction ~~or any officer subordinate to the one who imposes the reduction;~~
- (7) ~~extra duties, including fatigue or other duties, for not more than 14 days, which need not be consecutive; and~~
- (8) ~~restriction to certain specified limits, with or without suspension from duty, for not more than 14 days, which need not be consecutive, but the officer imposing the reduction need not have actual authority to promote the member on whom the reduction is imposed.~~

(c) Any field-grade commanding officer of the grade of O-4, or above, or an officer of a general or flag rank in command may in addition to or in lieu of admonition or reprimand, after holding a hearing in which the accused is entitled to be present, impose not more than three of the following disciplinary punishments upon enlisted members of the officer's command:

- (1) ~~Any punishment authorized in subsections (b)(1), (2) and (3)~~ Withholding of

privileges for not more than two consecutive weeks;

(2) extra duties for not more than two consecutive weeks but not to exceed two hours per day, holidays included;

(2)(3) the forfeiture of not more than $\frac{1}{2}$ of one month's pay per month for two months 30 days' pay;

(3)(4) a fine of not more than one month's 30 days' pay; or

(4)(5) a reduction to the lowest or any intermediate pay grade, if the grade from which demoted is within the promotion authority of the officer imposing the reduction or any officer subordinate to the one who imposes the reduction, but the officer imposing the reduction need not have actual authority to promote the member on whom the reduction is imposed. An enlisted member in a pay grade above E-4 may not be reduced more than two pay grades;

(5) extra duties, including fatigue or other duties, for not more than 45 days, which need not be consecutive; and

(6) restriction to certain specified limits, with or without suspension from duty, for not more than 60 days, which need not be consecutive.

(d) The governor, the adjutant general, ~~an officer exercising general court-martial convening authority~~ or an officer of a general or flag rank in command may in addition to or in lieu of admonition or reprimand, after a hearing in which the accused is entitled to be present, impose any of the following disciplinary punishments upon officers of the officer's command:

(1) Upon officers of the officer's command, any punishment authorized in subsections (e)(1), (2), (3) and (6) and arrest in quarters for not more than 30 days, which need not be consecutive. Withholding privileges for not more than two consecutive weeks; and

(2) upon enlisted members of the officer's command, any punishment authorized in subsection (e) the forfeiture of not more than 30 days' pay; and

(3) a fine of not more than 30 days' pay.

(e) Whenever any of those punishments are combined to run consecutively, the total length of the combined punishment cannot exceed the authorized duration of the longest punishment in the combination, and there must be an apportionment of punishments so that no single punishment in the combination exceeds its authorized length under this article.

(f) Prior to the offer of non-judicial punishment, the commanding officer shall determine whether arrest in quarters or restriction shall be considered as punishments. If the commanding officer determines that the punishment options may include arrest in quarters or restriction, the accused shall be notified of the right to demand trial by court-martial. If the commanding officer determines that the punishment options will not include arrest in quarters or restriction, the accused shall be notified that there is no right to trial by court-martial in lieu of non-judicial punishment.

(g)(f) The officer who imposes the punishment, or the successor in command, may, at any time, suspend, set aside, mitigate or remit any part or amount of the punishment and restore all rights, privileges and property affected. The officer also may mitigate punishments as follows:

(1) Reduction in grade to forfeiture of pay; or

(2) ~~arrest in quarters to restriction; or~~

~~(3) extra duties to restriction.~~

The mitigated punishment shall not be for a greater period than the punishment mitigated. When mitigating reduction in grade to forfeiture of pay, the amount of the forfeiture shall not be greater than the amount that could have been imposed initially under this article by the officer who imposed the punishment mitigated.

~~(h)~~ A person punished under this article who considers the punishment unjust or disproportionate to the offense may, through the proper channel, appeal to the next superior authority within 15 days after the punishment is either announced or sent to the accused, as the commander may determine. The appeal shall be promptly forwarded and decided, but the punishment shall be stayed until final action is taken on the appeal. The superior authority may exercise the same powers with respect to the punishment imposed as may be exercised under subsection (g) by the officer who imposed the punishment. Before acting on an appeal from a punishment, the authority that is to act on the appeal will refer the case to a judge advocate for consideration and advice.

~~(i)~~ The imposition and enforcement of disciplinary punishment under this article for any act or omission is not a bar to trial by court-martial or a civilian court of competent jurisdiction for a serious crime or offense growing out of the same act or omission and not properly punishable under this article; but the fact that a disciplinary punishment has been enforced may be shown by the accused upon trial and, when so shown, it shall be considered in determining the measure of punishment to be adjudged in the event of a finding of guilty

(g) The governor or the adjutant general may, by order or rule, place limitations on the powers granted by this code with respect to the kinds and amount of punishment authorized and the categories of commanding officers authorized to exercise those powers.

~~(h)~~ Whenever a nonjudicial punishment of forfeiture of an amount of pay is imposed under this article, the forfeiture may apply to base pay accruing before, any deduction, withholding, assignment or forfeiture due on or after the date that punishment is imposed and to any pay accrued before that date.

~~(i)~~ Regulations may prescribe the form of records to be kept of proceedings under this article and may prescribe that certain categories of those proceedings shall be in writing.

(j) A person subject to punishment under this article has a right to be physically present during any hearing conducted under this article. A person waives the right to be present at a hearing held to adjudicate the charged offenses if the person fails to go to the appointed place of the hearing at the time prescribed after having been properly informed of the charged offenses and scheduled hearing and was given the requisite opportunity to consult with legal counsel. Any hearing conducted under this article by a company-grade commanding officer during which a finding of guilt is made and punishment is adjudged over and above admonition, reprimand or both shall have a written record that includes all real and testimonial evidence and all other supporting documents.

Sec. 64. K.S.A. 48-2602 is hereby amended to read as follows: 48-2602. (a) No person subject to this code shall compel any person to ~~incriminate himself or herself~~ self-incriminate that person or to answer any question, the answer to which may tend to incriminate the person.

(b) No person subject to this code may interrogate or request any statement from an accused or a person suspected of an offense without first informing ~~him or her~~ that

~~person of the nature of the accusation and advising him or her that person that he or she does such person does~~ not have to make any statement regarding the offense of which ~~he or she is such person is~~ accused or suspected, that any statement made by ~~him or her that person~~ may be used as evidence against ~~him or her such person~~ in a trial by ~~court-martial any military or civil proceeding~~, that ~~he or she has such person has~~ a right to consult with a lawyer, that ~~he or she has such person has~~ a right to have a lawyer present during questioning, that ~~he or she has such person has~~ a right to request a lawyer and that upon request one will be provided without cost or, if ~~he or she that person~~ prefers, ~~he or she such person~~ may retain counsel of ~~his or her choice such person's choosing~~ at ~~his or her such person's~~ own expense.

(c) No person subject to this code may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade the person.

(d) No statement obtained from any person in violation of this section, or through the use of coercion, unlawful influence or unlawful inducement may be received in evidence against the person in a trial by court-martial.

~~(e) The requirements of this section are binding on all persons administering this code but failure to follow them does not divest a military court of jurisdiction.~~

Sec. 65. K.S.A. 48-2605 is hereby amended to read as follows: 48-2605. ~~(a) Before directing the trial of any charge by general court-martial proceeding to take action under this code, the convening authority shall refer it to a commanding officer should confer with the convening authority's staff commanding officer's servicing judge advocate for consideration and advice. The convening authority may not refer a specification under a charge to a general court-martial for trial unless the convening authority has been advised in writing by the staff judge advocate that:~~

~~(1) The specification alleges an offense under this code;~~

~~(2) the specification is warranted by the evidence indicated in the report of the investigation under K.S.A. 48-2603 and amendments thereto, if there is such a report; and~~

~~(3) a court-martial would have jurisdiction over the accused and the offense.~~

~~(b) The advice of the staff judge advocate under subsection (a) with respect to a specification under a charge shall include a written and signed statement by the staff judge advocate:~~

~~(1) Expressing the staff judge advocate's conclusions with respect to each matter set forth in subsection (a); and~~

~~(2) recommending action that the convening authority take regarding the specification.~~

~~If the specification is referred for trial, the recommendation of the staff judge advocate shall accompany the specification.~~

~~(e) If the charges or specifications are not formally correct or do not conform to the substance of the evidence contained in the report of the investigating officer, formal corrections, and such changes in the charges and specifications as are needed to make them conform to the evidence shall be made.~~

Sec. 66. K.S.A. 48-2708 is hereby amended to read as follows: 48-2708. (a) A person charged with sedition, mutiny, desertion, missing movement or absence without leave in time of war or aiding a hostile force may be ~~tried and~~ punished at any time without limitation.

~~(b) Except as otherwise provided in this section, a person charged with desertion or with the offense punishable under K.S.A. 48-3040 and amendments thereto is not liable to be tried by court martial if the offense was committed more than three years before the receipt of sworn charges and specifications by an officer exercising summary court-martial jurisdiction over the command.~~

~~(e)(b) Except as otherwise provided in this section, a person charged with any offense is not liable to be tried by court martial or punished under K.S.A. 48-2301, and amendments thereto, if the offense was committed more than two years before the receipt of sworn charges and specifications by an officer exercising summary court-martial jurisdiction over the command or before the imposition of punishment under K.S.A. 48-2301, K.S.A. 48-2301, and amendments thereto, unless the commission of the offense was not immediately known and not readily discoverable, in which case the statute of limitations is two years from the discovery.~~

~~(c) Periods in which the accused is absent without authority or fleeing from justice shall be excluded in computing the period of limitation prescribed in this article.~~

~~(d) Periods in which the accused was absent from territory in which the state has the authority to apprehend the accused, or in the custody of civil authorities, or in the hands of a hostile force, shall be excluded in computing the period of limitation prescribed in this section.~~

~~(e) When the United States is at war or the president of the United States has declared a national emergency, the running of any statute of limitations applicable to any offense under this code is suspended until three years after the termination of hostilities or national emergency as proclaimed by the president of the United States or by the joint resolution of the United States congress if the offense:~~

~~(1) Involves fraud or attempted fraud against the United States, any state or any agency of either in any manner, whether by conspiracy or not;~~

~~(2) was committed in connection with the acquisition, care, handling, custody, control or disposition of any real or personal property of the United States or any state; or~~

~~(3) was committed in connection with the negotiation, procurement, award, performance, payment, interim financing, cancellation or other termination or settlement of any contract, subcontract or purchase order that is connected with or related to the prosecution of the war or with any disposition of termination inventory by any war contractor or government agency.~~

~~(f) (1) Punishment under new charges and specifications are not barred by the statute of limitations if the conditions specified in paragraph (2) are met and charges or specifications are dismissed as defective or insufficient for any cause and the period prescribed by the applicable statute of limitations:~~

~~(A) Has expired; or~~

~~(B) will expire within 180 days after the date of dismissal of the charges and specifications.~~

~~(2) The conditions referred to in paragraph (1)(B) are that the new charges must:~~

~~(A) Be received by a commanding officer within 180 days after the dismissal of the charges or specifications; and~~

~~(B) allege the same acts or omissions that were alleged in the dismissed charges or specifications or allege acts or omissions that were included in the dismissed charges or specifications.~~

Sec. 67. K.S.A. 48-2709 is hereby amended to read as follows: 48-2709. (a) No person may, without that person's consent, be tried, punished a second time ~~in any court of the state~~ for the same offense.

(b) No proceeding in which an accused has been found guilty by a ~~court-martial commanding officer~~ upon any charge or specification under K.S.A. 48-2301, and amendments thereto, is a trial in the sense of punishment under this section until the ~~finding of guilty has become final after review of the case has been fully completed.~~ time for appeal has run or a final decision on the appeal is made.

(c) ~~A proceeding which, after the introduction of evidence but before a finding, is dismissed or terminated by the convening authority or on motion of the prosecution for failure of available evidence or witnesses without any fault of the accused is a trial in the sense of this section.~~

Sec. 68. K.S.A. 48-2801 is hereby amended to read as follows: 48-2801. Punishment by flogging, branding, marking or tattooing the body, or any other cruel or unusual punishment may not be adjudged by any ~~court-martial commanding officer~~ or inflicted upon any person subject to this code.

Sec. 69. K.S.A. 48-2802 is hereby amended to read as follows: 48-2802. (a) The punishment ~~which that a court-martial commanding officer~~ may direct for an offense may not exceed limits prescribed by this code.

(b) Notwithstanding the limitations already prescribed, the maximum fine that may be assessed by a commanding officer under K.S.A. 48-2301, and amendments thereto, shall not exceed the amount of \$2,500.

Sec. 70. K.S.A. 48-3003 is hereby amended to read as follows: 48-3003. Any person subject to this code who, knowing that an offense punishable by this code has been committed, receives, comforts; or assists the offender in order to hinder or prevent the offender's apprehension, trial; or punishment shall be punished as a ~~court-martial commanding officer~~ may direct.

Sec. 71. K.S.A. 48-3005 is hereby amended to read as follows: 48-3005. (a) An act, done with specific intent to commit an offense under this code, amounting to more than mere preparation and tending, even though failing, to effect its commission, is an attempt to commit that offense.

(b) Any person subject to this code who attempts to commit any offense punishable by this code shall be punished as a ~~court-martial commanding officer~~ may direct, unless otherwise specifically prescribed.

(c) Any person subject to this code may be convicted of an attempt to commit an offense although it appears on the trial hearing that the offense was consummated.

Sec. 72. K.S.A. 48-3006 is hereby amended to read as follows: 48-3006. Any person subject to this code who conspires with any other person to commit an offense under this code shall, if one or more of the conspirators does an act to effect the object of the conspiracy, be punished as a ~~court-martial commanding officer~~ may direct.

Sec. 73. K.S.A. 48-3007 is hereby amended to read as follows: 48-3007. (a) Any person subject to this code who solicits or advises another or others to desert in violation of K.S.A. 48-3010, and amendments thereto, or mutiny in violation of K.S.A. 48-3019, and amendments thereto, shall, if the offense solicited or advised is attempted or committed, be punished with the punishment provided for the commission of the offense, but, if the offense solicited or advised is not committed or attempted, the person shall be punished as a ~~court-martial commanding officer~~ may direct.

(b) Any person subject to this code who solicits or advises another or others to commit an act of misbehavior before ~~a hostile force~~ the enemy in violation of K.S.A. 48-3024, and amendments thereto, or sedition in violation of K.S.A. 48-3019, and amendments thereto, shall, if the offense solicited or advised is committed, be punished with the punishment provided for the commission of the offense, but, if the offense solicited or advised is not committed, the person shall be punished as a ~~court-martial commanding officer~~ commanding officer may direct.

Sec. 74. K.S.A. 48-3008 is hereby amended to read as follows: 48-3008. Any person subject to this code shall be punished at the direction of a commanding officer who:

(1) Procures ~~his or her~~ such person's own enlistment or appointment in the state military forces by knowingly false representation or deliberate concealment as to the person's qualifications for that enlistment or appointment and receives pay or allowances thereunder; or

(2) procures ~~his or her~~ such person's own separation from the state military forces by knowingly false representation or deliberate concealment as to the person's eligibility for that separation; ~~shall be punished as a court-martial may direct.~~

Sec. 75. K.S.A. 48-3009 is hereby amended to read as follows: 48-3009. Any person subject to this code who effects an enlistment or appointment in or a separation from the state military forces of any person who is known to that person to be ineligible for that enlistment, appointment, or separation because it is prohibited by law, regulation, or order shall be punished as a ~~court-martial commanding officer~~ commanding officer may direct.

Sec. 76. K.S.A. 48-3010 is hereby amended to read as follows: 48-3010. (a) Any member of the state military forces who:

(1) Without authority goes or remains absent from the member's unit, organization, or place of duty with intent to remain away therefrom permanently;

(2) quits ~~his or her~~ such member's unit, organization or place of duty with intent to avoid hazardous duty or to shirk important service; or

(3) without being regularly separated from one of the state military forces, enlists or accepts an appointment in the same or another one of the state military forces, or in one of the armed forces of the United States, without fully disclosing the fact is guilty of desertion.

(b) Any commissioned officer of the state military forces who, after tender of resignation and before notice of its acceptance, quits ~~his or her~~ such commissioned officer's post or proper duties without leave and with intent to remain away therefrom permanently is guilty of desertion.

(c) Any person found guilty of desertion or attempt to desert shall be punished ~~as a court-martial may direct~~ at the direction of a commanding officer.

Sec. 77. K.S.A. 48-3011 is hereby amended to read as follows: 48-3011. Any person subject to this code shall be punished at the direction of a commanding officer who, without authority:

(1)(a) Fails to go to the person's appointed place of duty at the time prescribed;

(2)(b) goes from that place; or

(3)(c) absents ~~himself or herself~~ oneself or remains absent from ~~the~~ such person's unit, organization; or place of duty at which ~~he or she~~ such person is required to be at the time prescribed; ~~shall be punished as a court-martial may direct.~~

Sec. 78. K.S.A. 48-3012 is hereby amended to read as follows: 48-3012. (a) Any

person subject to this code who through neglect or design misses the movement of a ship, aircraft, or unit with which the person is required in the course of duty to move shall be punished as a ~~court-martial commanding officer~~ may direct.

(b) Any person subject to this code who wrongfully and intentionally jumps into the water from a vessel in use by the United States armed forces or state military forces shall be punished at the direction of a commanding officer.

Sec. 79. K.S.A. 48-3013 is hereby amended to read as follows: 48-3013. Any person subject to this code who uses contemptuous words against the president, the ~~vice-president vice president~~, congress, the secretary of defense, ~~the secretary of a military department, the secretary of homeland security,~~ the governor or the governor of any other state, ~~the legislature or the legislature of any other state,~~ territory, commonwealth or possession in which that person may be serving, shall be punished as a ~~court-martial commanding officer~~ may direct.

Sec. 80. K.S.A. 48-3014 is hereby amended to read as follows: 48-3014. Any person subject to this code who behaves with disrespect ~~towards his or her~~ toward such person's superior commissioned officer shall be punished as a ~~court-martial commanding officer~~ may direct.

Sec. 81. K.S.A. 48-3015 is hereby amended to read as follows: 48-3015. Any person subject to this code ~~who~~:

~~(1) shall be punished at the direction of a commanding officer if such person strikes the person's superior commissioned officer or draws or lifts up any weapon or offers any violence against the superior commissioned officer while the officer is in the execution of his or her the officer's office; or~~

~~(2) willfully disobeys a lawful command of his or her superior commissioned officer; shall be punished as a court-martial may direct.~~

Sec. 82. K.S.A. 48-3016 is hereby amended to read as follows: 48-3016. Any warrant officer or enlisted member ~~who~~ shall be punished at the direction of a commanding officer if such person:

~~(1)(a) Strikes or assaults a warrant officer, noncommissioned officer or petty officer, while that officer is in the execution of his or her such officer's office;~~

~~(2)(b) willfully disobeys the lawful order of a warrant officer, noncommissioned officer, or petty officer; or~~

~~(3)(c) treats with contempt or is disrespectful in language or deportment toward a warrant officer, noncommissioned officer, or petty officer, while that officer is in the execution of his or her such officer's office; shall be punished as a court-martial may direct.~~

Sec. 83. K.S.A. 48-3017 is hereby amended to read as follows: 48-3017. Any person subject to this code ~~who~~ shall be punished at the direction of a commanding officer if such person:

~~(1)(a) Violates or fails to obey any lawful general order or regulation;~~

~~(2)(b) having knowledge of any other lawful order issued by a member of the state military forces which it is the person's duty to obey, fails to obey the order; or~~

~~(3)(c) is derelict in the performance of his or her such person's duties; shall be punished as a court-martial may direct.~~

Sec. 84. K.S.A. 48-3018 is hereby amended to read as follows: 48-3018. Any person subject to this code ~~who~~ shall be punished at the direction of a commanding officer if such person is guilty of cruelty toward, or oppression or maltreatment of, any

person subject to ~~his or her~~ such person's orders ~~shall be punished as a court-martial may direct.~~

Sec. 85. K.S.A. 48-3019 is hereby amended to read as follows: 48-3019. (a) Any person subject to this code who:

(1) With intent to usurp or override lawful military authority, refuses, in concert with any other person, to obey orders or otherwise do ~~his~~ such person's duty or creates any violence or disturbance is guilty of mutiny;

(2) with intent to cause the overthrow or destruction of lawful civil authority, creates, in concert with any other person, revolt, violence, or other disturbance against that authority is guilty of sedition; or

(3) fails to do ~~his~~ such person's utmost to prevent and suppress a mutiny or sedition being committed in ~~his~~ such person's presence, or fails to take all reasonable means to inform ~~his~~ such person's superior commissioned officer or commanding officer of a mutiny or sedition ~~which he~~ that such person knows or has reason to believe is taking place, is guilty of a failure to suppress or report a mutiny or sedition.

(b) A person who is found guilty of attempted mutiny, mutiny, sedition; or failure to suppress or report a mutiny or sedition shall be punished ~~as a court-martial may direct~~ at the direction of a commanding officer.

Sec. 86. K.S.A. 48-3020 is hereby amended to read as follows: 48-3020. Any person subject to this code ~~who~~ shall be punished at the direction of a commanding officer if such person:

(a) Resists apprehension; ~~or~~

(b) breaks arrest; or

(c) ~~who~~ escapes from physical restraint, custody or confinement lawfully imposed ~~shall be punished as a court-martial may direct.~~

Sec. 87. K.S.A. 48-3021 is hereby amended to read as follows: 48-3021. (a) Any person subject to this code ~~who~~ shall be punished at the direction of a commanding officer, whether or not the prisoner was committed to such person's charge in strict compliance with the law if such person:

(1) Without proper authority, releases ~~any a~~ prisoner ~~committed to his or her charge, or who;~~

(2) through neglect or by design, suffers ~~allows~~ any ~~such~~ prisoner to escape, ~~shall be punished as a court-martial may direct, whether or not the prisoner was committed in strict compliance with law; or~~

(3) unlawfully drinks any alcoholic beverage with a prisoner.

Sec. 88. K.S.A. 48-3022 is hereby amended to read as follows: 48-3022. Any person subject to this code who, except as provided by law or regulation, apprehends, arrests; or confines any person shall be punished ~~as a court-martial may direct~~ at the direction of a commanding officer.

Sec. 89. K.S.A. 48-3023 is hereby amended to read as follows: 48-3023. Any person subject to this code ~~who~~ shall be punished at the direction of a commanding officer if such person:

(1)(a) Is responsible for unnecessary delay in the disposition of any case of a person accused of an offense under this code; or

(2)(b) knowingly and intentionally fails to enforce or comply with any provision of this code regulating the proceedings before, during; or after ~~trial~~ punishment of an accused; ~~shall be punished as a court-martial may direct.~~

Sec. 90. K.S.A. 48-3024 is hereby amended to read as follows: 48-3024. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person,~~ before or in the presence of a ~~hostile force~~ the enemy:

- (1)(a) Runs away;
- (2)(b) shamefully abandons, surrenders; or delivers up any command, unit, place or military property ~~which it is the person's~~ that such person has a duty to defend;
- (3)(c) through disobedience, neglect; or intentional misconduct endangers the safety of any such command, unit, place; or military property;
- (4)(d) casts away ~~his or her~~ such person's arms or ammunition;
- (5)(e) is guilty of cowardly conduct;
- (6)(f) quits ~~his or her~~ such person's place of duty to plunder or pillage;
- (7)(g) causes false alarms in any command, unit; or place under control of the armed forces of the United States or the state military forces;
- (8)(h) willfully fails to do ~~his or her~~ such person's utmost to encounter, engage, capture; or destroy any hostile force, combatants, vessels, aircraft; or any other thing; ~~which it is the person's duty so~~ that the person has a duty to encounter, engage, capture; or destroy; or
- (9)(i) does not afford all practicable relief and assistance to any troops, combatants, vessels; or aircraft of the armed forces belonging to the United States or their allies, to the state; or to any other state; when engaged in battle; ~~shall be punished as a court-martial may direct.~~

Sec. 91. K.S.A. 48-3025 is hereby amended to read as follows: 48-3025. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person~~ compels or attempts to compel the commander of any of place, vessel, aircraft or other military property or of any body of members of the state military forces, the United States armed forces or the military forces of the state, or of any other state, to give it up such property or body of members to a hostile force an enemy or to abandon it, such property or body of members or who strikes the colors or flag to a hostile force an enemy without proper authority, shall be punished as a court-martial may direct.

Sec. 92. K.S.A. 48-3026 is hereby amended to read as follows: 48-3026. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person,~~ in time of war or civil disturbance, discloses the parole or countersign to any person not entitled to receive it; or who gives to another who is entitled to receive and use the parole or countersign a different parole or countersign from that which, to the person's knowledge, ~~he or she~~ that person was authorized and required to give; ~~shall be punished as a court-martial may direct.~~

Sec. 93. K.S.A. 48-3027 is hereby amended to read as follows: 48-3027. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person~~ forces a safeguard ~~shall be punished as a court-martial may direct.~~

Sec. 94. K.S.A. 48-3028 is hereby amended to read as follows: 48-3028. (a) All persons subject to this code shall secure all public property taken from the hostile force for the service of the United States, or the state of Kansas, and shall give notice and turn over to the proper authority without delay all captured or abandoned property in their possession, custody; or control.

(b) Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person:~~

(1) Fails to carry out the duties prescribed in subsection (a);
 (2) buys, sells, trades; or in any way deals in or disposes of captured or abandoned property, whereby that person receives or expects any profit, benefit, or advantage to ~~himself or herself~~ such person or another directly or indirectly connected with ~~himself or herself~~ such person; or

(3) engages in looting or pillaging; ~~shall be punished as a court-martial may direct.~~

Sec. 95. K.S.A. 48-3029 is hereby amended to read as follows: 48-3029. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person:~~

~~(1)(a)~~ (a) Aids, or attempts to aid the ~~hostile force~~ enemy with arms, ammunition, supplies, money; or other things; or

~~(2)(b)~~ (b) without proper authority, knowingly harbors or protects or gives intelligence to, or communicates or corresponds with or holds any intercourse with the ~~hostile force~~ enemy, either directly or indirectly; ~~shall be punished as a court-martial may direct.~~

Sec. 96. K.S.A. 48-3030 is hereby amended to read as follows: 48-3030. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person,~~ while in the hands of a hostile force in time of war or civil disturbance:

~~(1)(a)~~ (a) For the purpose of securing favorable treatment by the person's captors, acts without proper authority in a manner contrary to law, custom; or regulation, to the detriment of others of whatever nationality held by a ~~hostile force~~ the enemy as civilian or military prisoners; or

~~(2)(b)~~ (b) while in a position of authority over such persons, maltreats ~~them~~ such persons without justifiable cause; ~~shall be punished as a court-martial may direct.~~

Sec. 97. K.S.A. 48-3031 is hereby amended to read as follows: 48-3031. (a) Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person,~~ with intent to deceive;

(1) Signs any false record, return, regulation, order; or other official document, knowing it to be false; or

(2) makes any other false official statement knowing ~~it~~ such statement to be false; ~~shall be punished as a court-martial may direct.~~

(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person:

(1) Takes an oath that is administered:

(A) In a matter in which such oath is required to do so; and

(B) by a person with the authority to do so; and

(2) upon taking such oath, makes or subscribes to a statement that, at the time the oath was administered, the person did not believe to be true.

Sec. 98. K.S.A. 48-3032 is hereby amended to read as follows: 48-3032. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person,~~ without proper authority:

~~(1)(a)~~ (a) Sells or otherwise disposes of any military property of the United States or of the state;

~~(2)(b)~~ (b) willfully or through neglect damages, destroys; or loses any military property of the United States or of the state; or

~~(3)(c)~~ (c) willfully or through neglect suffers to be damaged, destroyed, sold; or wrongfully disposed of; any military property of the United States or of the state ~~shall~~

~~be punished as a court-martial may direct.~~

Sec. 99. K.S.A. 48-3033 is hereby amended to read as follows: 48-3033. Any person subject to this code ~~who, while in a duty status, shall be punished at the direction of a commanding officer if such person~~ willfully or recklessly wastes, spoils; or otherwise willfully and wrongfully destroys or damages any property other than military property of the United States or of the state ~~shall be punished as a court-martial may direct.~~

Sec. 100. K.S.A. 48-3033a is hereby amended to read as follows: 48-3033a. (a) Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person~~ willfully and wrongfully hazards or suffers to be hazarded any vessel of the armed forces ~~shall be punished as a court-martial may direct of the United States or any state military forces.~~

(b) Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person~~ negligently hazards or suffers to be hazarded any vessel of the armed forces ~~shall be punished as a court-martial may direct of the United States or any state military forces.~~

Sec. 101. K.S.A. 48-3034 is hereby amended to read as follows: 48-3034. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person~~ operates any vehicle in a manner ~~proscribed prohibited~~ by K.S.A. 8-1567, and amendments thereto, in a reckless or wanton manner or while impaired by a substance described in K.S.A. 48-3035a ~~shall be punished as a court-martial may direct, and amendments thereto.~~

Sec. 102. K.S.A. 48-3035 is hereby amended to read as follows: 48-3035. (a) Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person~~ is found drunk, ~~under the influence of any intoxicant, narcotic, barbiturate or somnifacient or similar substance,~~ on duty or sleeping upon his or her post, or who leaves that post before he or she is regularly relieved, shall be punished as a court-martial may direct.

(b) Any person subject to this code shall be punished at the direction of a commanding officer if such person, as a result of indulgence in any alcoholic beverage or any drug, is incapacitated for the proper performance of duty.

Sec. 103. K.S.A. 48-3035a is hereby amended to read as follows: 48-3035a. (a) Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person~~ wrongfully uses, is under the influence of, possesses, manufactures, distributes, imports into the customs territory of the United States, exports from the United States or introduces into an installation, vessel, vehicle or aircraft used by or under the control of the armed forces of the United States or state military forces a substance described in subsection (b) ~~shall be punished as a court-martial may direct.~~

(b) The substances referred to in subsection (a) are the following:

(1) Opium, heroin, cocaine, amphetamine, lysergic acid diethylamide, methamphetamine, phencyclidine, barbituric acid and marijuana and any compound or derivative of any such substance.

(2) Any substance not specific in subsection (b)(1) that is listed on a schedule of controlled substances prescribed by the president of the United States or the governor for the purposes of this article.

(3) Any other substance not specified in subsection (b)(1) or contained on a list

prescribed by the president of the United States or governor under subsection (b)(2) that is listed in schedules I through V of section 202 of the controlled substances act (21 U.S.C. §.812).

(c) A person subject to this code shall be punished at the direction of a commanding officer if such person wrongfully possesses in such person's blood or urine the metabolites of a controlled substance as identified in subsection (b).

Sec. 104. K.S.A. 48-3036 is hereby amended to read as follows: 48-3036. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person:~~

~~(a) Fights or promotes, or is concerned in or connives at fighting a duel; or who, having~~

~~(b) has knowledge of a challenge sent or about to be sent; and fails to report the fact promptly to the proper authority, shall be punished as a court-martial may direct.~~

Sec. 105. K.S.A. 48-3037 is hereby amended to read as follows: 48-3037. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person,~~ for the purpose of avoiding work, duty or service in the state military forces:

~~(+)(a) Feigns illness, physical disablement, mental lapse or derangement; or~~

~~(-)(b) intentionally inflicts self-injury; shall be punished as a court-martial may direct.~~

Sec. 106. K.S.A. 48-3038 is hereby amended to read as follows: 48-3038. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person causes or participates in any riot or breach of the peace shall be punished as a court-martial may direct.~~

Sec. 107. K.S.A. 48-3039 is hereby amended to read as follows: 48-3039. Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person uses provoking or reproachful words or gestures towards any other person subject to this code shall be punished as a court-martial may direct.~~

Sec. 108. K.S.A. 48-3040 is hereby amended to read as follows: 48-3040. Any person subject to this code ~~who shall be guilty of perjury and shall be punished at the direction of a commanding officer if such person, in a judicial proceeding or in a court of justice conducted under this code or in a proceeding or hearing conducted under the auspices of the adjutant general where oaths are administered, willfully and corruptly;~~

~~(a) Gives, upon a lawful oath or in any form allowed by law to be substituted for an oath, any false testimony material to the issue or matter of inquiry is guilty of perjury and shall be punished as a court-martial may direct; or~~

~~(b) in any declaration, certificate, verification or statement under penalty of perjury as permitted under law, testifies to any false statement material to the issue or matter of inquiry.~~

Sec. 109. K.S.A. 48-3041 is hereby amended to read as follows: 48-3041. Any person subject to this code shall, upon conviction, be punished at the direction of a commanding officer if such person:

~~(+)(a) Who, knowing it to be false or fraudulent:~~

~~(A)(1) Makes any claim against the United States, the state; or any officer thereof; or~~

~~(B)(2) presents to any person in the civil or military service thereof; for approval or payment any claim against the United States, the state or any officer thereof;~~

~~(2)~~(b) who, for the purpose of obtaining the approval, allowance; or payment of any claim against the United States, the state; or any officer thereof:

~~(A)~~(1) Makes or uses any writing or other paper knowing it to contain any false or fraudulent statements;

~~(B)~~(2) makes any oath to any fact or to any writing or other paper knowing the oath to be false; or

~~(C)~~(3) forges or counterfeits any signature upon any writing or other paper; or uses any such signature knowing it to be forged or counterfeited;

~~(3)~~(c) who, having charge, possession, custody; or control of any money, or other property of the United States or the state, furnished or intended for the armed forces of the United States or the state military forces, knowingly delivers to any person having authority to receive it, any amount thereof less than that for which the person receives a certificate or receipt; or

~~(4)~~(d) who, being authorized to make or deliver any paper certifying the receipt of any property of the United States or the state, furnished or intended for the armed forces of the United States or the state military forces, makes or delivers to any person such writing without having full knowledge of the truth of the statements therein contained and with intent to defraud the United States or the state; ~~shall, upon conviction, be punished as a court-martial may direct.~~

Sec. 110. K.S.A. 48-3042 is hereby amended to read as follows: 48-3042. ~~(a)~~ Any person subject to this code ~~who shall be punished at the direction of a commanding officer if such person~~ wrongfully takes, obtains; or withholds, by any means, from the possession of the owner or of any other person any money, personal property; or article of value of any kind with intent to:

~~(1) With intent(a)~~ Permanently ~~to~~ deprive or defraud another person of the use and benefit of property or to appropriate it to ~~his or her~~ such person's own use or the use of any person other than the owner, steals that property and is guilty of larceny; or

~~(2) with intent(b)~~ temporarily ~~to~~ deprive or defraud another person of the use and benefit of property or to appropriate it to ~~his or her~~ such person's own use or the use of any person other than the owner, is guilty of wrongful appropriation.

~~(b) Any person found guilty of larceny or wrongful appropriation shall be punished as a court-martial may direct.~~

Sec. 111. K.S.A. 48-3043 is hereby amended to read as follows: 48-3043. Any ~~commissioner~~ commissioned officer or cadet who is convicted of conduct unbecoming ~~of an officer and a gentleman~~ shall be punished as a ~~court-martial~~ commanding officer may direct.

Sec. 112. K.S.A. 48-3044 is hereby amended to read as follows: 48-3044. (a) Though not specifically mentioned in this code, all disorders and neglects to the prejudice of good order and discipline in the state military forces; and all conduct of a nature to bring discredit upon the state military forces of which persons subject to this code may be guilty; shall be taken cognizance of by a ~~general, special or summary court-martial, commanding officer~~ according to the nature and degree of the offense; and shall be punished at the discretion of ~~that court~~ such commanding officer.

(b) However, cognizance may not be taken of, and jurisdiction may not be extended to, the crimes of murder, manslaughter, rape, robbery, maiming, sodomy, arson, ~~extortion~~, assault, not including simple assault, burglary or housebreaking, jurisdiction of which is reserved to civil courts.

Sec. 113. K.S.A. 48-3101 is hereby amended to read as follows: 48-3101. (a) Courts of inquiry to investigate any matter may be convened by ~~any person authorized to convene a general court-martial or by any other person designated by the governor for that purpose~~ an officer of a general or flag rank in command, whether or not the persons involved have requested such an inquiry.

(b) A court of inquiry consists of three or more commissioned officers. For each court of inquiry, the convening authority shall also appoint counsel for the court.

(c) Any person subject to this code whose conduct is subject to inquiry shall be designated as a party. Any person subject to this code or employed in the division of military affairs, who has a direct interest in the subject of inquiry has the right to be designated as a party upon request to the court. Any person designated as a party shall be given due notice and has the right to be present, to be represented by counsel, to cross-examine witnesses; and to introduce evidence.

(d) Members of a court of inquiry may be challenged by a party, but only for cause stated to the court.

(e) The members, counsel, the reporter and interpreters of courts of inquiry shall take an oath or affirmation to faithfully perform their duties.

(f) Witnesses may be summoned to appear and testify and be examined before courts of inquiry; ~~as provided for courts-martial.~~

(g) Courts of inquiry shall make findings of fact but may not express opinions or make recommendations unless required to do so by the convening authority.

(h) Each court of inquiry shall keep a record of its proceedings, which shall be authenticated by the signatures of the president and counsel for the court and forwarded to the convening authority. If the record cannot be authenticated by the president, it shall be signed by a member in lieu of the president. If the record cannot be authenticated by the counsel for the court, it shall be signed by a member in lieu of the counsel.

Sec. 114. K.S.A. 48-3102 is hereby amended to read as follows: 48-3102. (a) ~~The following members of the state military forces, while attending unit training assemblies or annual training or while performing active state duty or otherwise under orders of the governor, persons~~ persons may administer oaths for the purposes of military administration, including military justice, and have the general powers of a notary public in the performance of all notarial acts to be executed by members of the state military wherever they may be, by persons serving with, employed by or accompanying the state military forces outside the state; and by other persons subject to this code outside of the state:

- (1) ~~The state judge advocate general and~~ All assistant-judge advocates;
- (2) ~~all summary courts-martial;~~
- (3) all adjutants, assistant adjutants, acting adjutants and personnel adjutants;
- (4)(3) all commanding officers; and
- (5)(4) ~~all staff judge advocates and legal officers and acting or assistant staff judge advocates and legal officers~~ other persons designated by regulations of the armed forces of the United States or by statute.

(b) ~~The following persons while attending unit training assemblies or annual training, while performing active state duty or otherwise under orders of the governor~~ may administer oaths necessary in the performance of their duties:

- (1) The president, ~~military judge~~ legal advisor, trial counsel recorder and assistant

trial counsel for all general or special courts-martial, recorder for all administrative proceedings;

(2) the president and the counsel for the court of any court of inquiry;

(3) all officers designated to take a deposition;

(4) all persons detailed to conduct an investigation; ~~and~~

(5) all recruiting officers; and

(5)(6) all other persons designated by regulations of the ~~governor~~ armed forces of the United States or by statute.

(c) No fee may be paid to or received by any person for the performance of any notarial act ~~herein~~ authorized in this section.

(d) The signature without seal of any such person, together with the title of the person's office, is prima facie evidence of his or her such person's authority.

Sec. 115. K.S.A. 48-3103 is hereby amended to read as follows: 48-3103. K.S.A. 48-2102, 48-2103, 48-2201 ~~to through~~ 48-2208, ~~inclusive,~~ 48-2301, 48-2503, 48-2505, 48-2702, 48-2801, 48-3001 ~~to 48-3042 through 48-3044, inclusive,~~ and 48-3103 ~~to through~~ 48-3105, ~~inclusive,~~ as well as those required sections of the United States code of military justice, shall be carefully explained to every enlisted member at the time of the member's enlistment or transfer or induction into the state military forces or within ~~thirty~~ (30) days thereafter. ~~They~~ Such provisions shall also be explained annually to each unit of the state military forces. A complete text of this code and of the regulations prescribed by the governor thereunder shall be made available to any member of the state military forces, upon the member's request, for ~~his or her~~ such member's personal examination.

Sec. 116. K.S.A. 48-3104 is hereby amended to read as follows: 48-3104. (a) Any member of the state military forces who believes ~~himself or herself~~ such member was wronged by the member's a commanding officer, and who, upon due application to that commanding officer, is refused redress, may complain to any superior commissioned officer, who shall forward the complaint to the ~~governor or adjutant general~~ first general in the member's chain of command. Such general officer shall investigate the complaint and take proper measures for redressing the wrong. The first general in the member's chain of command shall, as soon as possible, send to the adjutant general a true statement of the complaint with an explanation of the proceedings held thereon.

(b) An alleged wrong is inappropriate for redress under this section when other adequate processes exist to address the wrong alleged in the complaint. An action is an inappropriate matter for resolution when:

(1) Review is provided specifically by the code;

(2) such matter is taken under the recommendation of an administrative board authorized by policy, regulation or instruction at which the complainant was afforded substantially the rights of a respondent; or

(3) service policy, regulation or instruction specifically authorizes an administrative appeal or similar redress for such matter.

Sec. 117. K.S.A. 48-3105 is hereby amended to read as follows: 48-3105. (a) Whenever complaint is made to any commanding officer that willful damage has been done to the property of any person or that the person's property has been wrongfully taken by members of the state military forces, the person may, subject to such regulations as the governor may prescribe, convene a board to investigate the complaint. The board shall consist of from one to three commissioned officers and, for

the purpose of that investigation, it has power to summon witnesses and examine them upon oath or affirmation, to receive depositions or other documentary evidence, and to assess the damages sustained against the responsible parties. The assessment of damages made by the board is subject to the approval of the commanding officer, and in the amount approved by the commanding officer shall be charged against the pay of the offenders. The order of the commanding officer directing charges herein authorized is conclusive, ~~except as provided in subsection (c)~~, on any disbursing officer for the payment by ~~him or her~~ such disbursing officers to the injured parties of the damages so assessed and approved.

(b) If the offenders cannot be ascertained, but the organization or detachment to which ~~they~~ such offenders belong is known, charges totaling the amount of damages assessed and approved may be ~~paid to the injured parties from the funds of the units of the state military forces to which the offenders belonged~~ made in such proportion as may be considered just upon the individual members thereof who are shown to have been present at the scene at the time the damages complained of were inflicted as determined by the findings of the board.

~~(c) Any person subject to this code who is accused of causing willful damage to property has the right to be represented by counsel, to summon witnesses in the person's behalf, and to cross-examine those appearing against him or her. The accused has the right of appeal to the next higher commander.~~

Sec. 118. K.S.A. 48-3108 is hereby amended to read as follows: 48-3108. (a) Fines imposed by a military court may be paid to it or to an officer executing its process. All such fines shall be payable at the time of approval of the sentence by the convening authority. Any sum so deducted shall be turned into the military court which imposed the fine. Any officer collecting a fine or penalty imposed by a military court upon an officer or enlisted person shall pay it within 30 days to the judge advocate, who shall transmit the same to the adjutant general. The adjutant general shall remit all fines and penalties so received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto through imposition of nonjudicial punishment may be paid to the state and delivered to the imposing officer or to a person executing the process. Fines may be collected in the following manners:

- (1) By cash or money order;
- (2) by retention of any pay or allowances due or to become due the person fined from any state or the United States;
- (3) by garnishment or levy, together with costs, on the wages, goods and chattels of a person delinquent in paying a fine; and
- (4) registered and filed as a foreign judgment.

~~(b) Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund to be available for general governmental expenses. The adjutant general shall remit all fines and penalties so received to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto.~~

~~(b) When the sentence of a court-martial adjudges a fine against any person and such fine has not been fully paid within 10 days after it is due and payable, the president of the military court or the summary court officer shall issue a warrant of commitment directed to the sheriff or chief law enforcement officer of the county in which the court-martial was held or where the offense was committed, directing such sheriff or law~~

enforcement officer to arrest and confine the person until such fine is paid or until one day shall have been served for each \$1 of the fine which is not paid. The form for order of commitment shall be prescribed by the adjutant general.

(c) Damages assessed and approved under K.S.A. 48-3105, and amendments thereto, shall be paid promptly to the owner of the injured property and delivered to the commanding officer who convened the investigating board. Damages may be collected in any of the following manners:

(1) By cash or money order;

(2) by retention of any pay or allowances due or to become due to the person fined from any state or the United States; or

(3) by garnishment or levy, together with costs, on the wages, goods and chattels of a person delinquent in paying a fine.

Sec. 119. K.S.A. 48-3109 is hereby amended to read as follows: 48-3109. ~~No accused may bring an action or proceeding against the convening authority or a member of a military court or officer or person acting under its authority or reviewing its proceedings because of the approval, imposition, or execution of any sentence or the imposition or collection of a fine or penalty, or the execution of any process or mandate of a military court.~~ All persons acting under the provisions of this code, whether a member of the military or a civilian, shall be immune from any personal liability for any of the acts or omissions that such person did or failed to do as part of such person's duties under this code.

Sec. 120. K.S.A. 48-3110 is hereby amended to read as follows: 48-3110. The jurisdiction of the ~~military courts and boards~~ proceedings established by this code shall be presumed and the burden of proof rests on any person seeking to oust those ~~courts or boards of jurisdiction in any action or proceeding~~ proceedings.

Sec. 121. K.S.A. 48-3112 is hereby amended to read as follows: 48-3112. (a) This act shall be so construed as to effectuate its general purpose and to make it uniform, so far as practical, to make the law uniform with the law of the United States uniform code of military justice, title 10 of chapter 47 of title 40 of the United States code. The information accompanying each punitive article of the United States uniform code of military justice shall be used in the defining and charging of any offense and the drafting of any charge and specifications to the extent that the United States code of military justice is consistent with this code.

(b) The decisions of the army court of criminal appeals, air force court of criminal appeals, coast guard court of criminal appeals, navy-marine corps court of criminal appeals and the United States court of appeals for the armed forces shall not be binding on proceedings under this code. Such decisions may be used for guidance in determining the guilt or punishment of any member of the state military forces subject to this code.";

Also on page 12, in line 13, by striking the first "and" and inserting a comma; also in line 13, after "48-516" by inserting ", 48-2101, 48-2102, 48-2103, 48-2104, 48-2105, 48-2106, 48-2201, 48-2202, 48-2203, 48-2204, 48-2205, 48-2206, 48-2207, 48-2208, 48-2401, 48-2401a, 48-2402, 48-2402a, 48-2403, 48-2404, 48-2405, 48-2406, 48-2501, 48-2501a, 48-2502, 48-2503, 48-2504, 48-2505, 48-2506, 48-2507, 48-2601, 48-2602, 48-2603, 48-2604, 48-2605, 48-2606, 48-2701, 48-2702, 48-2703, 48-2704, 48-2705, 48-2706, 48-2707, 48-2708, 48-2709, 48-2710, 48-2711, 48-2712, 48-2713, 48-2714, 48-2715, 48-2716, 48-2717, 48-2718, 48-2719, 48-

2801, 48-2802, 48-2803, 48-2804, 48-2915, 48-2916, 48-2917, 48-2918, 48-2919, 48-2920, 48-2921, 48-2922, 48-2923, 48-2924, 48-2925, 48-2926, 48-2927, 48-2928, 48-2929, 48-2930, 48-2931, 48-2932, 48-3001, 48-3003, 48-3005, 48-3006, 48-3007, 48-3008, 48-3009, 48-3010, 48-3011, 48-3012, 48-3013, 48-3014, 48-3015, 48-3016, 48-3017, 48-3018, 48-3019, 48-3020, 48-3021, 48-3022, 48-3023, 48-3024, 48-3025, 48-3026, 48-3027, 48-3028, 48-3029, 48-3030, 48-3031, 48-3032, 48-3033, 48-3033a, 48-3034, 48-3035, 48-3035a, 48-3036, 48-3037, 48-3038, 48-3039, 48-3040, 48-3041, 48-3042, 48-3043, 48-3044, 48-3101, 48-3102, 48-3103, 48-3104, 48-3105, 48-3106, 48-3107, 48-3108, 48-3109, 48-3110, 48-3112, and 48-3114"; also in line 13, after "48-204" by inserting "and 48-2301";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by inserting "updating the Kansas code of military justice relating to certain definitions, unlawful acts and punishment requirements thereof;" in line 7, by striking the first "and" and inserting a comma; also in line 7, after "48-516" by inserting ", 48-2101, 48-2102, 48-2103, 48-2105, 48-2106, 48-2201, 48-2203, 48-2204, 48-2602, 48-2605, 48-2708, 48-2709, 48-2801, 48-2802, 48-3003, 48-3005, 48-3006, 48-3007, 48-3008, 48-3009, 48-3010, 48-3011, 48-3012, 48-3013, 48-3014, 48-3015, 48-3016, 48-3017, 48-3018, 48-3019, 48-3020, 48-3021, 48-3022, 48-3023, 48-3024, 48-3025, 48-3026, 48-3027, 48-3028, 48-3029, 48-3030, 48-3031, 48-3032, 48-3033, 48-3033a, 48-3034, 48-3035, 48-3035a, 48-3036, 48-3037, 48-3038, 48-3039, 48-3040, 48-3041, 48-3042, 48-3043, 48-3044, 48-3101, 48-3102, 48-3103, 48-3104, 48-3105, 48-3108, 48-3109, 48-3110 and 48-3112"; in line 8, after "48-204" by inserting "and 48-2301"; in line 9, after "48-252" by inserting ", 48-2104, 48-2202, 48-2205, 48-2206, 48-2207, 48-2208, 48-2401, 48-2401a, 48-2402, 48-2402a, 48-2403, 48-2404, 48-2405, 48-2406, 48-2501, 48-2501a, 48-2502, 48-2503, 48-2504, 48-2505, 48-2506, 48-2507, 48-2601, 48-2603, 48-2604, 48-2606, 48-2701, 48-2702, 48-2703, 48-2704, 48-2705, 48-2706, 48-2707, 48-2710, 48-2711, 48-2712, 48-2713, 48-2714, 48-2715, 48-2716, 48-2717, 48-2718, 48-2719, 48-2803, 48-2804, 48-2915, 48-2916, 48-2917, 48-2918, 48-2919, 48-2920, 48-2921, 48-2922, 48-2923, 48-2924, 48-2925, 48-2926, 48-2927, 48-2928, 48-2929, 48-2930, 48-2931, 48-2932, 48-3001, 48-3106, 48-3107 and 48-3114.";

And your committee on conference recommends the adoption of this report.

RONALD ELLIS

BLAKE CARPENTER

VIRGIL WEIGEL

Conferees on part of House

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 292**.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson,

Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 410** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 13 through 34;

On page 2, by striking all in lines 1 through 18; following line 18, by inserting:

"New Section 1. Adverse influences not sufficiently accounted for in the agricultural use valuation formula for land devoted to agricultural use shall be addressed by the director of property valuation and the county appraiser. Adverse influences include, but are not limited to, canopy cover, salinity and alkalinity, water table fluctuation and newly constructed drainage and flood control areas. The county appraiser shall address canopy cover, salinity and alkalinity, water table fluctuation and newly constructed drainage and flood control areas as follows:

(a) For canopy cover, the county appraiser shall:

(1) View the parcel;

(2) delineate the area impacted on a map;

(3) determine the appropriate reduction from actual inspection and make the appropriate reduction as follows:

(A) 0 to 25% cover = no reduction;

(B) 25% to 50% cover = 20% reduction;

(C) 50% to 75% cover = 30% reduction; and

(D) 75% to 100% cover = 50% reduction; and

(4) establish an adverse influence file for the parcel;

(b) for salinity and alkalinity, the county appraiser shall:

(1) Request that the taxpayer provide soil analysis from a crop consulting service;

(2) delineate the area impacted on a map;

(3) reduce the value as indicated by the report;

(4) establish an adverse influence file for the parcel; and

(5) notify the local United States department of agriculture natural resources conservation service (NRCS) office of the change;

(c) for water table fluctuation, the county appraiser shall:

(1) Delineate the area impacted on a map;

(2) contact the local NRCS office and request verification;

(3) contact the division of property valuation for assistance;

(4) obtain a temporary influence amount from the division of property valuation to use until the NRCS review is complete; and

(5) establish an adverse influence file for the parcel; and

(d) for newly constructed drainage and flood control areas, the county appraiser shall:

- (1) View the parcel;
- (2) delineate the area impacted on a map;
- (3) contact the division of property valuation for assistance;
- (4) receive an adverse influence amount from the division of property valuation after the division contacts the responsible agency; and
- (5) establish an adverse influence file for the parcel.

New Sec. 2. (a) The following described property, to the extent herein specified, shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

- (1) Any new electric generation facility.
- (2) Any new addition to a new or existing electric generation facility.
- (3) Any new pollution control device constructed or installed on or after January 1, 2025, at a new or existing electric generation facility.

(b) The provisions of this section shall apply from and after commencement of construction or installation of such property and for the 10 taxable years immediately following the taxable year in which construction or installation of such property is completed.

(c) As used in this section:

(1) "Existing electric generation facility" means an electric generation facility described in K.S.A. 66-104(e) or 66-128(b)(2)(C), and amendments thereto, that is in existence on December 31, 2024. "Existing electric generation facility" does not include an electric generation facility that converts wind, solar, biomass, landfill gas or any other renewable source of energy to electricity.

(2) "New addition" means any real or tangible personal property constructed or installed on or after January 1, 2025, for incorporation in and use as part of a new or existing electric generation facility.

(3) "New electric generation facility" means an electric generation facility described in K.S.A. 66-104(e) or 66-128(b)(2)(C), and amendments thereto, and the commencement of construction of such facility began on or after January 1, 2025. "New electric generation facility" includes any electric generation facility that utilizes nuclear energy for the generation of electricity. "New electric generation facility" does not include any electric generation facility that converts wind, solar, biomass, landfill gas or any other renewable source of energy to electricity.

(d) The provisions of this section shall apply to all taxable years commencing after December 31, 2024.

Sec. 3. K.S.A. 2023 Supp. 12-187 is hereby amended to read as follows: 12-187.

(a) No city shall impose a retailers' sales tax under the provisions of this act without the governing body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) (1) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less

than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than $\frac{2}{3}$ of the membership of the governing body of each of one or more cities within such county that contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by $\frac{2}{3}$ of the membership of the governing body of each of one or more taxing subdivisions within such county that levy not less than 25% of the property taxes levied by all taxing subdivisions within the county.

(2) The board of county commissioners of Anderson, Atchison, Barton, Brown, Butler, Chase, Cowley, Cherokee, Crawford, Ford, Franklin, Grant, Jefferson, Linn, Lyon, Marion, Miami, Montgomery, Neosho, Osage, Ottawa, Reno, Riley, Saline, Seward, Sumner, Thomas, Wabaunsee, Wilson and Wyandotte counties may submit the question of imposing a countywide retailers' sales tax and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire when sales tax sufficient to pay all of the costs incurred in the financing of such facility has been collected by retailers as determined by the secretary of revenue. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Butler, Chase, Cowley, Lyon, Montgomery, Neosho, Riley, Sumner or Wilson county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(3) (A) Except as otherwise provided in this paragraph, the result of the election held on November 8, 1988, on the question submitted by the board of county commissioners of Jackson county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the Banner Creek reservoir project. The tax imposed pursuant to this paragraph shall take effect on the effective date of this act and shall expire not later than five years after such date.

(B) The result of the election held on November 8, 1994, on the question submitted by the board of county commissioners of Ottawa county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the erection, construction and furnishing of a law enforcement center and jail facility.

(C) Except as otherwise provided in this paragraph, the result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Sedgwick county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be used only to pay the costs of: (i) Acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the city of Wichita, Kansas, (the "downtown arena"); (ii) design for the Kansas coliseum complex and construction of improvements to the pavilions; and (iii) establishing an operating and maintenance reserve for the downtown arena and the Kansas coliseum complex. The tax imposed pursuant to this paragraph shall commence on July 1, 2005, and shall terminate not later than 30 months after the commencement thereof.

(D) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Lyon county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of ad valorem tax reduction and capital outlay. The tax imposed pursuant to this paragraph shall terminate not later than five years after the commencement thereof.

(E) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Rawlins county for the purpose of increasing its countywide retailers' sales tax by 0.75% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of financing the costs of a swimming pool. The tax imposed pursuant to this paragraph shall terminate not later than 15 years after the commencement thereof or upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(F) The result of the election held on December 1, 2009, on the question submitted by the board of county commissioners of Chautauqua county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received from such tax by the county shall be expended for the purposes of financing the costs of constructing, furnishing and equipping a county jail and law enforcement center and necessary improvements appurtenant to such jail and law enforcement center. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(G) The result of the election held on April 7, 2015, on the question submitted by the board of county commissioners of Bourbon county for the purpose of increasing its retailers' sales tax by 0.4% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(H) The result of the election held on November 7, 2017, on the question submitted by the board of county commissioners of Finney county for the purpose of increasing its countywide retailers' sales tax by 0.3% is hereby declared valid, and the revenues of such tax shall be used by Finney county and the city of Garden City, Kansas, as agreed in an interlocal cooperation agreement between the city and county, and as detailed in the ballot question approved by voters. The tax imposed pursuant to this subparagraph shall be levied for a period of 15 years from the date it is first levied.

(I) The result of the election held on November 3, 2020, on the question submitted by the board of county commissioners of Cherokee county for the purpose of increasing its retailers' sales tax by 0.5% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing: (i) Ambulance services within the county; (ii) renovations and maintenance of county buildings and facilities; or (iii) any other projects within the county deemed necessary by the governing body of Cherokee county. The tax imposed pursuant to this subparagraph shall terminate prior to January 1, 2033.

(4) The board of county commissioners of Finney and Ford counties may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing all or any portion of the cost to be paid by Finney or Ford county for construction of highway projects identified as system enhancements under the provisions of K.S.A. 68-2314(b)(5), and amendments thereto, to the electors at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Finney or Ford county pursuant to this paragraph to exceed the maximum rate prescribed in K.S.A. 12-189, and amendments thereto. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Finney county, the state treasurer shall remit such funds to the treasurer of Finney county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Ford county, the state treasurer shall remit such funds to the treasurer of Ford county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund.

(5) The board of county commissioners of any county may submit the question of imposing a retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the provision of health care services, as enumerated in the question, to the electors at an election called and held thereon. Whenever any county imposes a tax pursuant to this paragraph, any tax imposed pursuant to subsection (a)(2) by any city located in such county shall expire upon the effective date of the imposition of the countywide tax, and thereafter the state treasurer shall remit to each such city that portion of the countywide tax revenue collected by retailers within such city as certified by the director of taxation. The tax imposed pursuant to this paragraph shall be deemed to be in addition to the rate limitations prescribed in K.S.A. 12-189, and amendments thereto. As used in this paragraph, health care services shall include, but not be limited to, the following: Local health departments, city or county hospitals, city or county nursing homes, preventive health care services including immunizations, prenatal care and the postponement of entry into nursing homes by home care services, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, rural health clinics, integration of health care services, home health services and rural health networks.

(6) The board of county commissioners of Allen county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of operation and construction of a solid waste disposal area or the modification of an existing landfill to comply with federal regulations to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs incurred in the financing of the project undertaken. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Allen county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(7) (A) The board of county commissioners of Clay and Miami county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.50% in the case of Clay county and at a rate of up to 1% in the case of Miami county, and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. Except as otherwise provided, the tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected. The result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Miami county for the purpose of extending for an additional five-year period the countywide retailers' sales tax imposed pursuant to this subsection in Miami county is hereby declared valid. The countywide retailers' sales tax imposed pursuant to this subsection in Clay and Miami county may be extended or reenacted for additional five-year periods upon the board of county commissioners of Clay and Miami county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(B) The board of county commissioners of Dickinson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(8) The board of county commissioners of Sherman county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of street and roadway improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(9) (A) The board of county commissioners of Cowley, Crawford and Woodson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% in the case of Crawford and Woodson county and at a rate of up to 0.25%, in the case of Cowley county and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected.

(B) The board of county commissioners of Russell county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(10) The board of county commissioners of Franklin county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing recreational facilities. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(11) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purposes of conservation, access and

management of open space; preservation of cultural heritage; and economic development projects and activities.

(12) The board of county commissioners of Shawnee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom to the city of Topeka for the purpose of financing the costs of rebuilding the Topeka boulevard bridge and other public infrastructure improvements associated with such project to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project.

(13) The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% and pledging the revenue received therefrom for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. Such tax shall expire after seven years from the date such tax is first collected.

(14) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(15) The board of county commissioners of Saline county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction and operation of an expo center to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(16) The board of county commissioners of Harvey county may submit the question of imposing a countywide retailers' sales tax at the rate of 1.0% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and public infrastructure improvements to the electors at an election called and held thereon.

(17) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of construction and maintenance of sports and recreational facilities to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(18) The board of county commissioners of Wabaunsee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 15 years from the date such tax is first collected. On and after July 1, 2019, the countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for one additional period not to exceed 15 years upon the board of county commissioners of Wabaunsee county submitting such question to the electors at an election called and held thereon as provided by law. For any countywide retailers' sales tax that is extended or reenacted

pursuant to this paragraph, such tax shall expire not later than 15 years from the date such tax is first collected.

(19) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after six years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional six-year periods upon the board of county commissioners of Jefferson county submitting such question to the electors at an election called and held thereon for each additional six-year period as provided by law.

(20) The board of county commissioners of Riley county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(21) The board of county commissioners of Johnson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the construction and operation costs of public safety projects, including, but not limited to, a jail, detention center, sheriff's resource center, crime lab or other county administrative or operational facility dedicated to public safety, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this subsection may be extended or reenacted for additional periods not exceeding 10 years upon the board of county commissioners of Johnson county submitting such question to the electors at an election called and held thereon for each additional ten-year period as provided by law.

(22) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvements to federal highways, the development of a new industrial park and other public infrastructure improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project or projects.

(23) The board of county commissioners of Butler county may submit the question of imposing a countywide retailers' sales tax at the rate of either 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects or bridge and roadway construction projects, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such projects.

(24) The board of county commissioners of Barton county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway and

bridge construction and improvement and infrastructure development and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(25) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of the county's obligation as participating employer to make employer contributions and other required contributions to the Kansas public employees retirement system for eligible employees of the county who are members of the Kansas police and firemen's retirement system, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such purpose.

(26) The board of county commissioners of Pottawatomie county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, or public infrastructure improvements, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project or projects.

(27) The board of county commissioners of Kingman county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of constructing and furnishing a law enforcement center and jail facility and the costs of roadway and bridge improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire not later than 20 years from the date such tax is first collected.

(28) The board of county commissioners of Edwards county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.375% and pledging the revenue therefrom for the purpose of financing the costs of economic development initiatives to the electors at an election called and held thereon.

(29) The board of county commissioners of Rooks county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue therefrom for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized in financing such project or projects.

(30) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility, detention facility or other county administrative facility, specifically including mental health and for the operation thereof.

(31) The board of county commissioners of Bourbon county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1%, in increments of 0.05%, and pledging the revenue received therefrom for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements to the electors at an election called and

held thereon.

(32) The board of county commissioners of Marion county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and the construction of public infrastructure improvements, including buildings, to the electors at an election called and held thereon.

(33) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of supporting emergency medical and ambulance services in the county to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional periods not exceeding 10 years per period upon the board of county commissioners of Wilson county submitting such question to the electors at an election called and held thereon for each additional period as provided by law. This paragraph shall not be construed to cause the expiration, repeal or termination of any existing city retailers' sales tax for health care services as defined in paragraph (5).

(34) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received for the purpose of joint law enforcement communications and solid waste disposal in Atchison county to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(35) The board of county commissioners of Dickinson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional five-year periods upon the board of county commissioners of Dickinson county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(36) The board of county commissioners of Rawlins county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of construction, remodeling, capital improvements or maintenance of attendance centers or other district facilities of any school district or school districts within the county. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing the costs of attendance centers or other district facilities for U.S.D. No. 105.

(37) The board of county commissioners of Marshall county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue therefrom for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of

all costs authorized in financing such project or projects.

(38) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway and bridge construction, maintenance and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of imposing a retailers' sales tax within such counties to the electors of such counties at an election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than $\frac{2}{3}$ of the membership of the governing body of each of one or more cities within each of such counties that contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by $\frac{2}{3}$ of the membership of the governing body of each of one or more taxing subdivisions within each of such counties that levy not less than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) Notwithstanding any provision of law to the contrary, including subsection (b) (5), any city retailers' sales tax being levied by a city prior to July 1, 2006, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance for such repeal. Any countywide retailers' sales tax in the amount of 0.5% or 1% in effect on July 1, 1990, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

(e) Any city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be resubmitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the repeal of any such city retailers' sales tax may be accomplished by the adoption of an ordinance so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

(g) (1) The governing body of the city or county proposing to levy any retailers'

sales tax shall specify the purpose or purposes for which the revenue would be used, and a statement generally describing such purpose or purposes shall be included as a part of the ballot proposition.

(2) In addition to the requirements set forth in paragraph (1), the governing body of the county proposing to levy a countywide retailers' sales tax shall include as a part of the ballot proposition whether:

(A) The apportionment formula provided in K.S.A. 12-192, and amendments thereto, will apply to the revenue;

(B) an interlocal agreement was entered whereby the county will retain either all or part of the revenue; or

(C) pursuant to law, the county retains the revenue in its entirety.

Sec. 4. K.S.A. 2023 Supp. 12-189 is hereby amended to read as follows: 12-189. The rate of any city retailers' sales tax shall be fixed in increments of 0.05% and in an amount not to exceed 2% for general purposes and not to exceed 1% for special purposes, which shall be determined by the governing body of the city. For any retailers' sales tax imposed by a city for special purposes, such city shall specify the purposes for which such tax is imposed. All such special purpose retailers' sales taxes imposed by a city shall expire after 10 years from the date such tax is first collected. The rate of any countywide retailers' sales tax shall be fixed in an amount not to exceed 1% and shall be fixed in increments of 0.25%, and which amount shall be determined by the board of county commissioners, except that:

(a) The board of county commissioners of Wabaunsee county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25%; the board of county commissioners of Osage or Reno county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25% or 1.5%; the board of county commissioners of Cherokee, Crawford, Ford, Saline, Seward or Wyandotte county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5%; the board of county commissioners of Atchison or Thomas county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5% or 1.75%; the board of county commissioners of Anderson, Barton, Jefferson or Ottawa county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2%; the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2.5%; the board of county commissioners of Franklin, Linn and Miami counties, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the respective board of county commissioners on July 1, 2007, plus up to 1.0%; and the board of county commissioners of Brown or Grant county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at up to 2%;

(b) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(3), and amendments thereto, may fix such rate at 2%;

(c) the boards of county commissioners of Finney and Ford counties, for the purposes of K.S.A. 12-187(b)(4), and amendments thereto, may fix such rate at 0.25%;

(d) the board of county commissioners of any county, for the purposes of K.S.A. 12-187(b)(5), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by a board of county commissioners on the effective date of this act plus 0.25%, 0.5%, 0.75% or 1%, as the case requires;

(e) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.5%, and the board of county commissioners of Miami county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.25%, 1.5%, 1.75% or 2%;

(f) the board of county commissioners of Sherman county, for the purposes of K.S.A. 12-187(b)(8), and amendments thereto, may fix such rate at 2.25%;

(g) the board of county commissioners of Crawford or Russell county for the purposes of K.S.A. 12-187(b)(9), and amendments thereto, may fix such rate at 1.5%;

(h) the board of county commissioners of Franklin county, for the purposes of K.S.A. 12-187(b)(10), and amendments thereto, may fix such rate at 1.75%;

(i) the board of county commissioners of Douglas county, for the purposes of K.S.A. 12-187(b)(11) and (b)(30), and amendments thereto, may fix such rate at 1.75%;

(j) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(13), and amendments thereto, may fix such rate at 1.4%;

(k) the board of county commissioners of Sedgwick county, for the purposes of K.S.A. 12-187(b)(3)(C), and amendments thereto, may fix such rate at 2%;

(l) the board of county commissioners of Neosho county, for the purposes of K.S.A. 12-187(b)(14), and amendments thereto, may fix such rate at 1.0% or 1.5%;

(m) the board of county commissioners of Saline county, for the purposes of K.S.A. 12-187(b)(15), and amendments thereto, may fix such rate at up to 1.5%;

(n) the board of county commissioners of Harvey county, for the purposes of K.S.A. 12-187(b)(16), and amendments thereto, may fix such rate at 2.0%;

(o) the board of county commissioners of Atchison county, for the purpose of K.S.A. 12-187(b)(17), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Atchison county on the effective date of this act plus 0.25%;

(p) the board of county commissioners of Wabaunsee county, for the purpose of K.S.A. 12-187(b)(18), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Wabaunsee county on July 1, 2007, plus 0.5%;

(q) the board of county commissioners of Jefferson county, for the purpose of K.S.A. 12-187(b)(19) and (25), and amendments thereto, may fix such rate at 2.25%;

(r) the board of county commissioners of Riley county, for the purpose of K.S.A. 12-187(b)(20), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%;

(s) the board of county commissioners of Johnson county, for the purposes of K.S.A. 12-187(b)(21), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Johnson county on July 1, 2007, plus 0.25%;

(t) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(22), and amendments thereto, may fix such rate at up to 2%;

(u) the board of county commissioners of Butler county, for the purposes of K.S.A. 12-187(b)(23), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;

(v) the board of county commissioners of Barton county, for the purposes of K.S.A.

12-187(b)(24), and amendments thereto, may fix such rate at up to 1.5%;

(w) the board of county commissioners of Lyon county, for the purposes of K.S.A. 12-187(b)(3)(D), and amendments thereto, may fix such rate at 1.5%;

(x) the board of county commissioners of Rawlins county, for the purposes of K.S.A. 12-187(b)(3)(E), and amendments thereto, may fix such rate at 1.75%;

(y) the board of county commissioners of Chautauqua county, for the purposes of K.S.A. 12-187(b)(3)(F), and amendments thereto, may fix such rate at 2.0%;

(z) the board of county commissioners of Pottawatomie county, for the purposes of K.S.A. 12-187(b)(26), and amendments thereto, may fix such rate at up to 1.5%;

(aa) the board of county commissioners of Kingman county, for the purposes of K.S.A. 12-187(b)(27), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75%, or 1%;

(bb) the board of county commissioners of Edwards county, for the purposes of K.S.A. 12-187(b)(28), and amendments thereto, may fix such rate at 1.375%;

(cc) the board of county commissioners of Rooks county, for the purposes of K.S.A. 12-187(b)(29), and amendments thereto, may fix such rate at up to 1.5%;

(dd) the board of county commissioners of Bourbon county, for the purposes of K.S.A. 12-187(b)(3)(G) and (b)(31), and amendments thereto, may fix such rate at up to 2.0%;

(ee) the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(32), and amendments thereto, may fix such rate at 2.5%;

(ff) the board of county commissioners of Finney county, for the purposes of K.S.A. 12-187(b)(3)(H), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.3%;

(gg) the board of county commissioners of Cherokee county, for the purposes of K.S.A. 12-187(b)(3)(I), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.5%;

(hh) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(33), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;

(ii) the board of county commissioners of Atchison county, for the purposes of K.S.A. 12-187(b)(34), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus up to 1%;

and

(jj) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(35), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%;

(kk) the board of county commissioners of Rawlins county, for the purposes of K.S.A. 12-187(b)(36), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus up to 1%;

(ll) the board of county commissioners of Marshall county, for the purposes of K.S.A. 12-187(b)(37), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus up to 1%;

and

(mm) the board of county commissioners of Neosho county, for the purposes of

K.S.A. 12-187(b)(38), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.5%.

Any county or city levying a retailers' sales tax is hereby prohibited from administering or collecting such tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect such tax. Except as otherwise specifically provided in K.S.A. 12-189a, and amendments thereto, such tax shall be identical in its application, and exemptions therefrom, to the Kansas retailers' sales tax act and all laws and administrative rules and regulations of the state department of revenue relating to the Kansas retailers' sales tax shall apply to such local sales tax insofar as such laws and rules and regulations may be made applicable. The state director of taxation is hereby authorized to administer, enforce and collect such local sales taxes and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement thereof.

Upon receipt of a certified copy of an ordinance or resolution authorizing the levy of a local retailers' sales tax, the director of taxation shall cause such taxes to be collected within or without the boundaries of such taxing subdivision at the same time and in the same manner provided for the collection of the state retailers' sales tax. Such copy shall be submitted to the director of taxation within 30 days after adoption of any such ordinance or resolution. The director of taxation shall confirm that all provisions of law applicable to the authorization of local sales tax have been followed prior to causing the collection. If the director of taxation discovers that a city or county did not comply with any provision of law applicable to the authorization of a local sales tax after collection has commenced, the director shall immediately notify the city or county and cease collection of such sales tax until such noncompliance is remedied. All moneys collected by the director of taxation under the provisions of this section shall be credited to a county and city retailers' sales tax fund which fund is hereby established in the state treasury, except that all moneys collected by the director of taxation pursuant to the authority granted in K.S.A. 12-187(b)(22), and amendments thereto, shall be credited to the Wilson county capital improvements fund. Any refund due on any county or city retailers' sales tax collected pursuant to this act shall be paid out of the sales tax refund fund and reimbursed by the director of taxation from collections of local retailers' sales tax revenue. Except for local retailers' sales tax revenue required to be deposited in the redevelopment bond fund established under K.S.A. 74-8927, and amendments thereto, all local retailers' sales tax revenue collected within any county or city pursuant to this act shall be apportioned and remitted at least quarterly by the state treasurer, on instruction from the director of taxation, to the treasurer of such county or city.

Revenue that is received from the imposition of a local retailers' sales tax that exceeds the amount of revenue required to pay the costs of a special project for which such revenue was pledged shall be credited to the city or county general fund, as the case requires.

The director of taxation shall provide, upon request by a city or county clerk or treasurer or finance officer of any city or county levying a local retailers' sales tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number. Such report shall be made available to the clerk

or treasurer or finance officer of such city or county within a reasonable time after it has been requested from the director of taxation. The director of taxation shall be allowed to assess a reasonable fee for the issuance of such report. Information received by any city or county pursuant to this section shall be confidential, and it shall be unlawful for any officer or employee of such city or county to divulge any such information in any manner. Any violation of this paragraph by a city or county officer or employee is a class A misdemeanor, and such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute violations of this paragraph.

Sec. 5. K.S.A. 2023 Supp. 12-192 is hereby amended to read as follows: 12-192.

(a) Except as otherwise provided by subsection (b), (d) or (h), all revenue received by the director of taxation from a countywide retailers' sales tax shall be apportioned among the county and each city located in such county in the following manner:

(1) $\frac{1}{2}$ of all revenue received by the director of taxation shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; and

(2) $\frac{1}{2}$ of all revenue received by the director of taxation from such countywide retailers' sales tax shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county, except that no persons residing within the Fort Riley military reservation shall be included in the determination of the population of any city located within Riley county.

All revenue apportioned to a county shall be paid to its county treasurer and shall be credited to the general fund of the county.

(b) (1) In lieu of the apportionment formula provided in subsection (a), all revenue received by the director of taxation from a countywide retailers' sales tax imposed within Johnson county at the rate of 0.75%, 1% or 1.25% after July 1, 2007, shall be apportioned among the county and each city located in such county in the following manner:

(A) The revenue received from the first 0.5% rate of tax shall be apportioned in the manner prescribed by subsection (a); and

(B) the revenue received from the rate of tax exceeding 0.5% shall be apportioned as follows:

(i) $\frac{1}{4}$ shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year;

(ii) $\frac{1}{4}$ shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county; and

(iii) $\frac{1}{2}$ shall be retained by the county for its sole use and benefit.

(2) In lieu of the apportionment formula provided in subsection (a), all money received by the director of taxation from a countywide sales tax imposed within Montgomery county pursuant to the election held on November 8, 1994, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged. All revenue apportioned and paid from the imposition of such tax to the treasurer of any city prior to the effective date of this act shall be remitted to the county treasurer and expended only for the purpose for which the revenue received from the tax was pledged.

(3) In lieu of the apportionment formula provided in subsection (a), on and after the effective date of this act, all moneys received by the director of taxation from a countywide retailers' sales tax imposed within Phillips county pursuant to the election held on September 20, 2005, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(c) (1) Except as otherwise provided by paragraph (2) of this subsection, for purposes of subsections (a) and (b), the term "total tangible property tax levies" means the aggregate dollar amount of tax revenue derived from ad valorem tax levies applicable to all tangible property located within each such city or county. The ad valorem property tax levy of any county or city district entity or subdivision shall be included within this term if the levy of any such district entity or subdivision is applicable to all tangible property located within each such city or county.

(2) For the purposes of subsections (a) and (b), any ad valorem property tax levied on property located in a city in Johnson county for the purpose of providing fire protection service in such city shall be included within the term "total tangible property tax levies" for such city regardless of its applicability to all tangible property located within each such city. If the tax is levied by a district which extends across city boundaries, for purposes of this computation, the amount of such levy shall be apportioned among each city in which such district extends in the proportion that such tax levied within each city bears to the total tax levied by the district.

(d) (1) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(2), (3)(C), (3)(F), (3)(G), (3)(I), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28), (29), (30), (31), (32), (33), (34) ~~and~~, (35), ~~(36), (37) and (38)~~, and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(2) Except as otherwise provided in K.S.A. 12-187(b)(5), and amendments thereto, all revenues received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(5), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(3) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(26), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged unless the question of imposing a countywide retailers' sales tax authorized by K.S.A. 12-187(b)(26), and amendments thereto, includes the apportionment of revenue prescribed in subsection (a).

(e) All revenue apportioned to the several cities of the county shall be paid to the respective treasurers thereof and deposited in the general fund of the city. Whenever the territory of any city is located in two or more counties and any one or more of such counties do not levy a countywide retailers' sales tax, or whenever such counties do not levy countywide retailers' sales taxes at a uniform rate, the revenue received by such city from the proceeds of the countywide retailers' sales tax, as an alternative to depositing the same in the general fund, may be used for the purpose of reducing the tax levies of such city upon the taxable tangible property located within the county levying such countywide retailers' sales tax.

(f) Prior to March 1 of each year, the secretary of revenue shall advise each county treasurer of the revenue collected in such county from the state retailers' sales tax for the preceding calendar year.

(g) Prior to December 31 of each year, the clerk of every county imposing a countywide retailers' sales tax shall provide such information deemed necessary by the secretary of revenue to apportion and remit revenue to the counties and cities pursuant to this section.

(h) The provisions of subsections (a) and (b) for the apportionment of countywide retailers' sales tax shall not apply to any revenues received pursuant to a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and amendments thereto. All such revenue collected under K.S.A. 74-8929, and amendments thereto, shall be deposited into the redevelopment bond fund established by K.S.A. 74-8927, and amendments thereto, for the period of time set forth in K.S.A. 74-8927, and amendments thereto.

Sec. 6. K.S.A. 2023 Supp. 74-2433f is hereby amended to read as follows: 74-2433f. (a) There shall be a division of the state board of tax appeals known as the small claims and expedited hearings division. Hearing officers appointed by the chief hearing officer shall have authority to hear and decide cases heard in the small claims and expedited hearings division.

(b) The small claims and expedited hearings division shall have jurisdiction over hearing and deciding applications for the refund of protested taxes under the provisions of K.S.A. 79-2005, and amendments thereto, and hearing and deciding appeals from decisions rendered pursuant to the provisions of K.S.A. 79-1448, and amendments thereto, and of article 16 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, with regard to single-family residential property. The filing of an appeal with the small claims and expedited hearings division shall be a prerequisite for filing an appeal with the state board of tax appeals for appeals involving single-family residential property.

(c) At the election of the taxpayer, the small claims and expedited hearings division shall have jurisdiction over: (1) Any appeal of a decision, finding, order or ruling of the director of taxation, except an appeal, finding, order or ruling relating to an assessment issued pursuant to K.S.A. 79-5201 et seq., and amendments thereto, in which the amount of tax in controversy does not exceed \$15,000; (2) hearing and deciding applications for the refund of protested taxes under the provisions of K.S.A. 79-2005, and amendments thereto, where the value of the property, other than property devoted to agricultural use, is less than \$3,000,000 as reflected on the valuation notice; and (3) hearing and deciding appeals from decisions rendered pursuant to the provisions of K.S.A. 79-1448, and amendments thereto, and of article 16 of chapter 79 of the Kansas

Statutes Annotated, and amendments thereto, other than those relating to land devoted to agricultural use, wherein the value of the property is less than \$3,000,000 as reflected on the valuation notice.

(d) In accordance with the provisions of K.S.A. 74-2438, and amendments thereto, any party may elect to appeal any application or decision referenced in subsection (b) to the state board of tax appeals. Except as provided in subsection (b) regarding single-family residential property, the filing of an appeal with the small claims and expedited hearings division shall not be a prerequisite for filing an appeal with the state board of tax appeals under this section. Final decisions of the small claims and expedited hearings division may be appealed to the state board of tax appeals. An appeal of a decision of the small claims and expedited hearings division to the state board of tax appeals shall be de novo. The county bears the burden of proof in any appeal filed by the county pursuant to this section. With regard to any matter properly submitted to the board relating to the determination of valuation of property for taxation purposes pursuant to this subsection, the board shall not increase the appraised valuation of the property to an amount greater than the final determination of appraised value by the county appraiser from which the taxpayer appealed to the small claims and expedited hearings division.

(e) A taxpayer shall commence a proceeding in the small claims and expedited hearings division by filing a notice of appeal in the form prescribed by the rules of the state board of tax appeals which shall state the nature of the taxpayer's claim. The notice of appeal may be signed by the taxpayer, any person with an executed declaration of representative form from the property valuation division of the department of revenue or any person authorized to represent the taxpayer in subsection (f). Notice of appeal shall be provided to the appropriate unit of government named in the notice of appeal by the taxpayer. In any valuation appeal or tax protest commenced pursuant to articles 14 and 20 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, ~~the hearing shall be conducted in the county where the property is located or a county adjacent thereto. In or~~ any appeal from a final determination by the secretary of revenue, the hearing shall may be conducted in the county in which the taxpayer resides or a county adjacent thereto by teleconference or video conference as directed by the chief hearing officer or a designee.

(f) The hearing in the small claims and expedited hearings division shall be informal. The hearing officer may hear any testimony and receive any evidence the hearing officer deems necessary or desirable for a just determination of the case. A hearing officer shall have the authority to administer oaths in all matters before the hearing officer. All testimony shall be given under oath. A party may appear personally or may be represented by an attorney, a certified public accountant, a certified general appraiser, a tax representative or agent, a member of the taxpayer's immediate family or an authorized employee of the taxpayer. A county or unified government may be represented by the county appraiser, designee of the county appraiser, county attorney or counselor or other representatives so designated. No transcript of the proceedings shall be kept.

(g) The hearing in the small claims and expedited hearings division shall be conducted within 60 days after the appeal is filed in the small claims and expedited hearings division unless such time period is waived by the taxpayer. A decision shall be rendered by the hearing officer within 30 days after the hearing is concluded and, in

cases arising from appeals described by subsections (b) and (c)(2) and (3), shall be accompanied by a written explanation of the reasoning upon which such decision is based. Documents provided by a taxpayer or county or district appraiser shall be returned to the taxpayer or the county or district appraiser by the hearing officer and shall not become a part of the board's permanent records. Documents provided to the hearing officer shall be confidential and may not be disclosed, except as otherwise specifically provided.

(h) With regard to any matter properly submitted to the division relating to the determination of valuation of property for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination. No presumption shall exist in favor of the county appraiser with respect to the validity and correctness of such determination. With regard to leased commercial and industrial property, the burden of proof shall be on the taxpayer unless the taxpayer has furnished the county or district appraiser, within 30 calendar days following the informal meeting required by K.S.A. 79-1448, and amendments thereto, or within 30 calendar days following the informal meeting required by K.S.A. 79-2005, and amendments thereto, a complete income and expense statement for the property for the three years next preceding the year of appeal. Such income and expense statement shall be in such format that is regularly maintained by the taxpayer in the ordinary course of the taxpayer's business. If the taxpayer submits a single property appraisal with an effective date of January 1 of the year appealed, the burden of proof shall return to the county appraiser. With regard to any matter properly submitted to the division relating to the determination of valuation of property for taxation purposes, the hearing officer shall not increase the appraised valuation of the property to an amount greater than the final determination of appraised value by the county appraiser from which the taxpayer appealed.

Sec. 7. K.S.A. 79-257 is hereby amended to read as follows: 79-257. The following described property, to the extent herein specified, shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

(a) All electric generation facilities described in ~~subsection (e)~~ of K.S.A. 66-104(c), and amendments thereto.

(b) The provisions of subsection (a) shall apply:

(1) Except as provided in paragraph (2), from and after commencement of construction of such property and for the 12 taxable years immediately following the taxable year in which construction of such property is completed; or

(2) for peak load plants, from and after commencement of construction of such property and for the six taxable years immediately following the taxable year in which construction of such property is completed.

(c) All pollution control devices purchased for or constructed or installed at electric generation facilities described in ~~subsection (e)~~ of K.S.A. 66-104(c), and amendments thereto.

(d) The provisions of subsection (c) shall apply:

(1) Except as provided in paragraph (2), from and after purchase or commencement of construction or installation of such property and for the 12 taxable years immediately following the taxable year in which such property is purchased or construction or installation of such property is completed; or

(2) for a peak load plant, from and after purchase or commencement of construction or installation of such property and for the six taxable years immediately following the taxable year in which such property is purchased or construction or installation of such property is completed.

(e) The provisions of this section shall apply to all taxable years commencing after December 31, 2000, but only to property for which the applicant filed an application for exemption pursuant to this section on or before December 31, 2024. No application for exemption pursuant to this section shall be filed after December 31, 2024.

Sec. 8. K.S.A. 79-258 is hereby amended to read as follows: 79-258. The following described property, to the extent herein specified, shall be exempt from all property taxes levied under the laws of the state of Kansas:

(a) All electric generation facilities and additions to electric generation facilities described in ~~subsection (b)(2)(C) of K.S.A. 66-128(b)(2)(C)~~, and amendments thereto.

(b) The provisions of subsection (a) shall apply: (1) Except as provided in paragraph (2), from and after commencement of construction of such property and for the 10 taxable years immediately following the taxable year in which construction of such property is completed; or (2) for a peak load plant, from and after commencement of construction of such peak load plant and for the four taxable years immediately following the taxable year in which construction of such property is completed.

(c) All pollution control devices purchased for or constructed or installed at electric generation facilities described in ~~subsection (b)(2)(C) of K.S.A. 66-128(b)(2)(C)~~, and amendments thereto.

(d) The provisions of subsection (c) shall apply:

(1) Except as provided in paragraph (2), from and after purchase or commencement of construction or installation of such property and for the 10 taxable years immediately following the taxable year in which such property is purchased or construction or installation of such property is completed; or

(2) for a peak load plant, from and after purchase or commencement of construction or installation of such property and for the four taxable years immediately following the taxable year in which such property is purchased or construction or installation of such property is completed.

(e) As used in this section, "peak load plant" means an electric generation facility used during maximum load periods.

(f) The provisions of this section shall apply to all taxable years commencing after December 31, 2000, but only to property for which the applicant filed an application for exemption pursuant to this section on or before December 31, 2024. No application for exemption pursuant to this section shall be filed after December 31, 2024.

Sec. 9. K.S.A. 79-306 is hereby amended to read as follows: 79-306. On or before March 15 of each year, or the next following business day if such date falls on a day other than a regular business day, every person, association, company or corporation required by this act to list property shall make and personally sign a statement listing all tangible personal property which by this act such person is required to list, either as the owner thereof, or as parent, guardian, trustee, executor, administrator, receiver, accounting officer, partner or agent, as the case may be, and deliver the same to the county appraiser of the county where such property has its situs for the purpose of taxation. In addition to the foregoing requirements, any such statement prepared by a personal property tax rendition form preparer shall be certified as true and correct by

such preparer's signature. If a person has filed an initial statement listing property with the county appraiser pursuant to this section, no subsequent annual statement shall be required to be filed with the county appraiser regarding such property unless there is a change to report relating to the property previously listed or the statement.

Sec. 10. K.S.A. 79-332a is hereby amended to read as follows: 79-332a. (a) Any person, corporation or association owning oil and gas leases or engaged in operating for oil or gas who fails to make and file a statement of assessment on or before April 1 shall be subject to a penalty as follows:

(1) The appraiser shall, after having ascertained the assessed value of the property of such taxpayer, add ~~5%~~ 2% thereto as a penalty for late filing if the failure is not for more than one month, with an additional ~~5%~~ 2% for each additional month or fraction thereof during which such failure continues, not exceeding ~~25%~~ 10% in the aggregate.

(2) If the statement of assessment is filed more than one year from April 1, the appraiser shall, after having ascertained the assessed value of the property of such taxpayer, add ~~50%~~ 12.5% thereto as a penalty for late filing. The county treasurer may not distribute any taxes assessed under this section and paid under protest by the taxpayer pursuant to K.S.A. 79-2005, and amendments thereto, until such time as the appeal is final.

(b) For good cause shown the county appraiser may extend the time in which to make and file such statement. Such request for extension of time shall be in writing and shall be received by the county appraiser prior to the due date of the statement of assessment.

(c) Whenever any person, corporation or association owning oil and gas leases or engaged in operating for oil or gas shall fail to make and deliver to the county appraiser of every county wherein the property to be assessed is located, a full and complete statement of assessment relative to such property as required by blank forms prepared or approved for the purpose by the director of property valuation to elicit the information necessary to fix the valuation of the property, the appraiser shall ascertain the assessed value of the property of such taxpayer, and shall add ~~50%~~ 12.5% thereto as a penalty for failing to file such statement.

(d) The state board of tax appeals shall have the authority to abate any penalty imposed under the provisions of this section and order the refund of the abated penalty, whenever excusable neglect on the part of the person, corporation or association required to make and file the statement of assessment is shown, or whenever the property for which a statement of assessment was not filed as required by law is repossessed, judicially or otherwise, by a secured creditor and such secured creditor pays the taxes and interest due.

Sec. 11. K.S.A. 79-1422 is hereby amended to read as follows: 79-1422. (a) Any person required to file a statement listing property for assessment and taxation purposes under the provisions of this act who fails to make and file such statement on or before the date prescribed by K.S.A. 79-306, and amendments thereto, shall be subject to a penalty as follows:

The appraiser shall, after having ascertained the assessed value of the property of such taxpayer, add ~~5%~~ 2% thereto as a penalty for late filing if the failure is not for more than one month, with an additional ~~5%~~ 2% for each additional month or fraction thereof during which such failure continues, not exceeding ~~25%~~ 10% in the aggregate.

For good cause shown the appraiser ~~may shall~~ shall extend ~~the a reasonable amount of~~

time in which to make and file such statement. Such request for extension of time must be in writing and shall state just and adequate reasons on which the request ~~may~~ shall be granted. ~~The request must be received by the appraiser prior to the due date of the statement.~~ For purposes of this section, on and after January 1, 2022, good cause for granting an extension of time in which to make and file a statement listing property for assessment and taxation purposes shall include, but not be limited to, the previous classification of the property as real property or as a fixture to real property. Such previous classification shall specifically include, but not be limited to, machinery and equipment used in the grain storage and processing industry, ethanol processing industry or other biofuels processing industry that had been previously classified as real property or fixtures to real property.

(b) If, within one year following the date prescribed by K.S.A. 79-306, and amendments thereto, any person shall fail to make and file the statement listing property for assessment and taxation purposes or shall fail to make and file a full and complete statement listing property for such purposes, the appraiser shall proceed to ascertain the assessed value of the property of such taxpayer, and for this purpose the appraiser may examine under oath any person or persons whom the appraiser deems to have knowledge thereof. The appraiser shall, after having ascertained the assessed value of such property, add ~~50%~~ 12.5% thereto as a penalty for failure to file such statement or for failure to file a full and complete statement.

(c) ~~The state board of tax appeals or the county appraiser shall have the authority to abate any penalty imposed under the provisions of this section and order the refund of the abated penalty, whenever excusable neglect on the part of the person required to make and file the statement listing property for assessment and taxation purposes is shown, or whenever the property for which a statement of assessment was not filed as required by law is repossessed, judicially or otherwise, by a secured creditor and such secured creditor pays the taxes and interest due.~~ For purposes of this section, on and after January 1, 2022, excusable neglect for the failure to make and file a statement listing property for assessment and taxation purposes shall include, but not be limited to, the previous classification of the property as real property or as a fixture to real property. Such previous classification shall specifically include, but not be limited to, machinery and equipment used in the grain storage and processing industry, ethanol processing industry or other biofuels processing industry that had been previously classified as real property or fixtures to real property.

Sec. 12. K.S.A. 79-1427a is hereby amended to read as follows: 79-1427a. (a) If, the county appraiser discovers, after the tax roll has been certified to the county clerk, that any tangible personal property subject to taxation has been omitted from the tax rolls, the county clerk shall place such property on the tax roll as an added tax, or if, after one year from the date prescribed by K.S.A. 79-306, and amendments thereto, for the listing of tangible personal property, the county appraiser discovers that any tangible personal property ~~which that~~ was subject to taxation in any year or years within two years next preceding January 1 of the calendar year in which it was discovered has not been listed or has been underreported for whatever reason, such property shall be deemed to have escaped taxation. In the case of property ~~which that~~ has not been listed, it shall be the duty of the county appraiser to list and appraise such property and, for an added tax, add penalties as prescribed in K.S.A. 79-1422, and amendments thereto, and ~~which that~~ shall be designated on the appraisal roll as an added appraisal for that year.

In the case of property ~~which~~ that has escaped taxation, it shall be the duty of the county appraiser to list and appraise such property and add ~~50%~~ 12.5% thereto as a penalty for escaping taxation for each such year during which such property was not listed, and it shall be designated on the appraisal roll as "escaped appraisal" for each such preceding year or years. In the case of property ~~which~~ that has been listed but underreported, it shall be the duty of the county appraiser to list and appraise the underreported portion of such property and add ~~50%~~ 12.5% thereto as a penalty for escaping taxation for each such year during which such property was underreported, and it shall be designated on the appraisal roll as "escaped appraisal" for each such preceding year or years. The county clerk, upon receipt of the valuation for such property in either of the aforementioned cases, shall place such property on the tax rolls and compute the amount of tax due based upon the mill levy for the year or years in which such tax should have been levied, and shall certify such amount to the county treasurer as an added or escaped appraisal. The amount of such tax shall be due immediately and payable within 45 days after the issuance of an additional or escaped property tax bill by the county treasurer. The county treasurer may not distribute any taxes assessed under this section and paid under protest by the taxpayer pursuant to K.S.A. 79-2005, and amendments thereto, until such time as the appeal is final. No interest shall be imposed unless the tax remains unpaid after such 45-day period. Taxes levied pursuant to this section ~~which~~ that remain unpaid after such 45-day period shall be deemed delinquent and the county treasurer shall collect and distribute such tax in the same manner as prescribed by law for the collection and distribution of other taxes levied upon property ~~which~~ that are delinquent. If the owner of such property is deceased, taxes charged as herein provided shall be levied against the estate of such deceased person for only two calendar years preceding death and shall be paid by the legal representative or representatives of such estate. In the event that such escaped appraisal is due to any willful or clerical error of the county appraiser, such property shall be appraised at its fair market value and no penalty shall be added.

(b) A taxpayer with a grievance as to any penalty applied pursuant to the provisions of this section, may appeal to the state board of tax appeals on forms prepared by the state board of tax appeals and provided by the county appraiser. The state board of tax appeals shall have the authority to abate any penalty imposed under the provisions of this section and order the refund of the abated penalty, whenever excusable neglect on the part of the person required to make and file the statement listing property for assessment and taxation purposes is shown, or whenever the property ~~which~~ that has been deemed to have escaped taxation is repossessed, judicially or otherwise, by a secured creditor and such creditor pays the taxes and interest due. No interest shall be assessed during the pendency of this appeal.

(c) The provisions of this section shall apply to any tangible personal property discovered during the calendar years 1982, 1983, 1984 and any year thereafter to have escaped appraisal and taxation during any such year or any year within two years next preceding any such year.

Sec. 13. K.S.A. 2023 Supp. 79-1476 is hereby amended to read as follows: 79-1476. (a) The director of property valuation is hereby directed and empowered to administer and supervise a statewide program of reappraisal of all real property located within the state. Except as otherwise authorized by K.S.A. 19-428, and amendments thereto, each county shall comprise a separate appraisal district under such program,

and the county appraiser shall have the duty of reappraising all of the real property in the county pursuant to guidelines and timetables prescribed by the director of property valuation and of updating the same on an annual basis. In the case of multi-county appraisal districts, the district appraiser shall have the duty of reappraising all of the real property in each of the counties comprising the district pursuant to such guidelines and timetables and of updating the same on an annual basis. Commencing in 2000, every parcel of real property shall be actually viewed and inspected by the county or district appraiser once every six years.

~~Compilation of data for the initial preparation or updating of inventories for each parcel of real property and entry thereof into the state computer system as provided for in K.S.A. 79-1477, and amendments thereto, shall be completed not later than January 1, 1989. Whenever the director determines that reappraisal of all real property within a county is complete, notification thereof shall be given to the governor and to the state board of tax appeals.~~

(b) Valuations shall be established for each parcel of real property at its fair market value in money in accordance with the provisions of K.S.A. 79-503a, and amendments thereto.

~~In addition thereto, (c) (1)~~ Valuations shall be established for each parcel of land devoted to agricultural use upon the basis of the agricultural income or productivity attributable to the inherent capabilities of such land in its current usage under a degree of management reflecting median production levels in the manner hereinafter provided. A classification system for all land devoted to agricultural use shall be adopted by the director of property valuation using criteria established by the United States department of agriculture natural resources conservation service.

(A) For all taxable years commencing after December 31, 1989, all land devoted to agricultural use that is subject to the federal conservation reserve program shall be classified as cultivated dry land for the purpose of valuation for property tax purposes pursuant to this section, except that for all taxable years commencing after December 31, 2022, all land devoted to agricultural use that is subject to the federal grassland conservation reserve program (CRP grasslands) shall be classified as grassland for the purpose of valuation for property tax purposes pursuant to this section.

(B) For all taxable years commencing after December 31, 1999, all land devoted to agricultural use that is subject to the federal wetlands reserve program shall be classified as native grassland for the purpose of valuation for property tax purposes pursuant to this section.

(2) Productivity of land devoted to agricultural use shall be determined for all land classes within each county or homogeneous region based on an average of the eight calendar years immediately preceding the calendar year that immediately precedes the year of valuation, at a degree of management reflecting median production levels. The director of property valuation shall determine median production levels based on information available from state and federal crop and livestock reporting services, the natural resources conservation service, and any other sources of data that the director considers appropriate.

(d) The share of net income from land in the various land classes within each county or homogeneous region that is normally received by the landlord shall be used as the basis for determining agricultural income for all land devoted to agricultural use except pasture or rangeland. The net income normally received by the landlord from

such land shall be determined by deducting expenses normally incurred by the landlord from the share of the gross income normally received by the landlord. The net rental income normally received by the landlord from pasture or rangeland within each county or homogeneous region shall be used as the basis for determining agricultural income from such land. The net rental income from pasture and rangeland that is normally received by the landlord shall be determined by deducting expenses normally incurred from the gross income normally received by the landlord. Commodity prices, crop yields and pasture and rangeland rental rates and expenses shall be based on an average of the eight calendar years immediately preceding the calendar year that immediately precedes the year of valuation. Net income for every land class within each county or homogeneous region shall be capitalized at a rate determined to be the sum of the contract rate of interest on new federal land bank loans in Kansas on July 1 of each year averaged over a five-year period that includes the five years immediately preceding the calendar year which immediately precedes the year of valuation, plus a percentage not less than 0.75% nor more than 2.75%, as determined by the director of property valuation, except that the capitalization rate calculated for property tax year 2003, and all such years thereafter, shall not be less than 11% nor more than 12%.

(e) ~~Based on the foregoing procedures provided in this section,~~ the director of property valuation shall make an annual determination of the value of land within each of the various classes of land devoted to agricultural use within each county or homogeneous region and furnish the same to the several county appraisers who shall classify such land according to its current usage and apply the value applicable to such class of land according to the valuation schedules prepared and adopted by the director of property valuation under the provisions of this section.

(f) It is the intent of the legislature that appraisal judgment and appraisal standards be followed and incorporated throughout the process of data collection and analysis and establishment of values pursuant to this section.

~~For the purpose of the foregoing provisions of (g) As used in this section, the phrase:~~

(1) (A) ~~"Land devoted to agricultural use" shall mean means and include includes~~ land, regardless of whether it is located in the unincorporated area of the county or within the corporate limits of a city, that is devoted to the production of plants, animals or horticultural products, including, but not limited to: Forages; grains and feed crops; dairy animals and dairy products; poultry and poultry products; beef cattle, sheep, swine and horses; bees and apiary products; trees and forest products; fruits, nuts and berries; vegetables; and nursery, floral, ornamental and greenhouse products.

(B) ~~"Land devoted to agricultural use" shall include includes~~ land;

(i) ~~Established as a controlled shooting area pursuant to K.S.A. 32-943, and amendments thereto, which shall be deemed to be land devoted to agricultural use-~~ "Land devoted to agricultural use" shall include land;

(ii) ~~that is utilized by zoos that hold a valid class C exhibitor license issued by the United States department of agriculture-~~ "Land devoted to agricultural use" shall include land; and

(iii) ~~for all taxable years commencing after December 31, 2020, that is otherwise devoted to the production of plants, animals or horticultural products that is incidentally used for agritourism activity~~ utilized as part of a registered agritourism activity at a registered agritourism location by a registered agritourism operator pursuant to K.S.A.

32-1432, and amendments thereto, including, but not limited to, all land and buildings, whether permanent or temporary, that are utilized for such agritourism activity. For purposes of this clause, the selling of any items, products, services or merchandise associated with the registered agritourism activity by a registered agritourism operator that includes, but is not limited to, point of sales from either land or buildings, shall not change the classification of the agricultural land or buildings as a result of such sales. For purposes of this section;

(2) "Agritourism activity" means any activity that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities, including, but not limited to, farming activities, ranching activities or historic, cultural or natural attractions. An activity may be an "agritourism activity" whether or not the participant pays to participate in the activity. An activity is not an "agritourism activity" if the participant is paid to participate in the activity.

(h) If a parcel has land devoted to agricultural purposes and land used for suburban residential acreages, rural home sites or farm home sites, the county appraiser shall determine the amount of the parcel used for agricultural purposes and value and assess it accordingly as land devoted to agricultural purposes. The county appraiser shall then determine the amount of the remaining land used for such other purposes and value and assess that land according to its use.

(i) The term "expenses" ~~shall mean~~ means those expenses typically incurred in producing the plants, animals and horticultural products described above, including management fees, production costs, maintenance and depreciation of fences, irrigation wells, irrigation laterals and real estate taxes, ~~but the term shall.~~ "Expenses" does not include those expenses incurred in providing temporary or permanent buildings used in the production of such plants, animals and horticultural products.

(j) The provisions of this ~~act~~ section shall not be construed to conflict with any other provisions of law relating to the appraisal of tangible property for taxation purposes including the equalization processes of the county and state board of tax appeals.

Sec. 14. K.S.A. 79-1496 is hereby amended to read as follows: 79-1496. Within 60 days after the date the notice of informal meeting results or final determination is mailed to the taxpayer pursuant to K.S.A. 79-1448, and amendments thereto, any taxpayer aggrieved by the final determination of the county appraiser, who has not filed an appeal with the board of tax appeals pursuant to K.S.A. 74-2433f, 79-1448, 79-1609 or 79-1611, and amendments thereto, may file with the county appraiser a third-party fee simple appraisal performed by a Kansas certified general real property appraiser that reflects the value of the property as of January 1 for the same tax year being appealed. For determinations and appeals relating to residential property pursuant to this section, a taxpayer may file with the county appraiser a third-party fee simple appraisal performed by either a Kansas certified residential real property appraiser or a Kansas certified general real property appraiser that reflects the value of the property as of January 1 for the same tax year being appealed. Within 15 days after receipt of the appraisal, the county appraiser shall review and consider such appraisal in the determination of valuation or classification of the taxpayer's property and mail a supplemental notice of final determination. If the final determination is not in favor of the taxpayer then the county appraiser shall notify the taxpayer that the county is required to perform its own, or commission a fee simple single property appraisal. The county appraiser shall then

have 90 days to furnish that appraisal along with a new supplemental notice of determination and if not in favor of the taxpayer include an explanation of the reasons the county appraiser did not rely upon the taxpayer's fee simple single property appraisal. Whenever a taxpayer submits a fee simple single property appraisal the burden of proof shall be on the county appraiser to dispute the value of that appraisal. Any taxpayer aggrieved by the final determination of the county appraiser may appeal to the state board of tax appeals as provided in K.S.A. 79-1609, and amendments thereto, within 30 days subsequent to the date of mailing of the supplemental notice of final determination.

Sec. 15. K.S.A. 2023 Supp. 79-2988 is hereby amended to read as follows: 79-2988. (a) On or before June 15 each year, the county clerk shall calculate the revenue neutral rate for each taxing subdivision and include such revenue neutral rate on the notice of the estimated assessed valuation provided to each taxing subdivision for budget purposes. The director of accounts and reports shall modify the prescribed budget information form to show the revenue neutral rate.

(b) Except as otherwise provided in this section, no tax rate in excess of the revenue neutral rate shall be levied by the governing body of any taxing subdivision unless a resolution or ordinance has been approved by the governing body according to the following procedure:

(1) At least 10 days in advance of the public hearing, the governing body shall publish notice of its proposed intent to exceed the revenue neutral rate by publishing notice:

(A) On the website of the governing body, if the governing body maintains a website; and

(B) in a weekly or daily newspaper of the county having a general circulation therein. The notice shall include, but not be limited to, its proposed tax rate, its revenue neutral rate and the date, time and location of the public hearing.

(2) On or before July 20, the governing body shall notify the county clerk of its proposed intent to exceed the revenue neutral rate and provide the date, time and location of the public hearing and its proposed tax rate. For all tax years commencing after December 31, 2021, the county clerk shall notify each taxpayer with property in the taxing subdivision, by mail directed to the taxpayer's last known address, of the proposed intent to exceed the revenue neutral rate at least 10 days in advance of the public hearing. Alternatively, the county clerk may transmit the notice to the taxpayer by electronic means at least 10 days in advance of the public hearing, if such taxpayer and county clerk have consented in writing to service by electronic means. The county clerk is not required to send a notice to a property owner of property that is exempt from ad valorem taxation. The county clerk shall consolidate the required information for all taxing subdivisions relevant to the taxpayer's property on one notice. The notice shall be in a format prescribed by the director of accounts and reports. The notice shall include, but not be limited to:

~~(A) The revenue neutral rate of each taxing subdivision relevant to the taxpayer's property;~~

~~(B) the proposed property tax revenue needed to fund the proposed budget of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;~~

~~(C) the proposed tax rate based upon the proposed budget and the current year's~~

total assessed valuation of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(D) the percentage by which the proposed tax rate exceeds the revenue neutral rate;

(E) the tax rate and property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement;

(F) the appraised value and assessed value of the taxpayer's property for the current year;

(G) the estimates of the tax for the current tax year on the taxpayer's property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates;

(H) the difference between the estimates of tax based on the proposed tax rate and the revenue neutral rate on the taxpayer's property described in subparagraph (G) for any taxing subdivision that has a proposed tax rate that exceeds its revenue neutral rate; and

(I) the date, time and location of the public hearing of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate. The following heading:

"NOTICE OF PROPOSED PROPERTY TAX INCREASE AND PUBLIC HEARINGS

[Current year] [County name] County Revenue Neutral Rate Notice

This is NOT a bill. Do not remit payment.";

(B) the following statement:

"This notice contains estimates of the tax on your property and proposed property tax increases. THE ACTUAL TAX ON YOUR PROPERTY MAY INCREASE OR DECREASE FROM THESE ESTIMATES. Governing bodies of taxing subdivisions must vote in order to exceed the Revenue Neutral Rate to increase the total property taxes collected. Governing bodies will vote at public hearings at the dates, times and locations listed. Taxpayers may attend and comment at the hearings. Property tax statements will be issued after mill rates are finalized and taxes are calculated.";

(C) the appraised value and assessed value of the taxpayer's property for the current year and the previous year;

(D) the amount of property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement in a column titled: "[Previous year] Tax";

(E) the estimated amount of property tax for the current year of each taxing subdivision on the taxpayer's property based on the revenue neutral rate of each taxing subdivision in a column titled: "[Current year] Tax at Revenue Neutral Rate";

(F) the estimated amount of property tax for the current year of each taxing subdivision on the taxpayer's property based on either: (i) The revenue neutral rate for a taxing subdivision that does not intend to exceed its revenue neutral rate; or (ii) the proposed tax rate provided by the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate in a column titled: "[Current year] Maximum Tax";

(G) the difference between the amount of the current year's maximum tax and the previous year's tax, reflected in dollars and a percentage, for each taxing subdivision in a column titled: "[Current year] Maximum Tax Exceeding [Previous year] Tax";

(H) the date, time and location of the public hearing of each taxing subdivision that

notified the county clerk of its proposed intent to exceed its revenue neutral rate in a column titled: "Date, Time and Location of Public Hearing"; and

(I) for each taxing subdivision public hearing listed pursuant to subparagraph (H), the difference between the current year's maximum tax and the estimated amount of property tax based on the revenue neutral rate of such taxing subdivision in a column titled: "[Current year] Maximum Tax Exceeding Tax at Revenue Neutral Rate".

Although the state of Kansas is not a taxing subdivision for purposes of this section, the notice shall include ~~a statement of the statutory mill levies imposed by the state~~ the previous year's tax amount and the estimate of the tax for the current year on the taxpayer's property based on ~~such the statutory mill~~ levies.

(3) The public hearing to consider exceeding the revenue neutral rate shall be held not sooner than August 20 and not later than September 20. The governing body shall provide interested taxpayers desiring to be heard an opportunity to present oral testimony within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment. The public hearing may be conducted in conjunction with the proposed budget hearing pursuant to K.S.A. 79-2929, and amendments thereto, if the governing body otherwise complies with all requirements of this section. Nothing in this section shall be construed to prohibit additional public hearings that provide additional opportunities to present testimony or public comment prior to the public hearing required by this section.

(4) A majority vote of the governing body, by the adoption of a resolution or ordinance to approve exceeding the revenue neutral rate, shall be required prior to adoption of a proposed budget that will result in a tax rate in excess of the revenue neutral rate. Such vote of the governing body shall be conducted at the public hearing and on the same day as the commencement of the public hearing after the governing body has heard from interested taxpayers and shall be a roll call vote. If the governing body approves exceeding the revenue neutral rate, the governing body shall not adopt a budget that results in a tax rate in excess of its proposed tax rate as stated in the notice provided pursuant to this section. A copy of the resolution or ordinance to approve exceeding the revenue neutral rate and a certified copy of any roll call vote reporting, at a minimum, the name and vote of each member of the governing body related to exceeding the revenue neutral rate, whether approved or not, shall be included with the adopted budget, budget certificate and other budget forms filed with the county clerk and the director of accounts and reports and shall be published on the website of the department of administration.

(c) (1) Any governing body subject to the provisions of this section that does not comply with subsection (b) shall refund to taxpayers any property taxes over-collected based on the amount of the levy that was in excess of the revenue neutral rate.

(2) Any taxpayer of the taxing subdivision that is the subject of the complaint or such taxpayer's duly authorized representative may file a complaint with the state board of tax appeals by filing a written complaint, on a form prescribed by the board, that contains the facts that the complaining party believes show that a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and that a reduction or refund of taxes is appropriate. The complaining party shall provide a copy of such complaint to the governing body of the taxing subdivision making the levy that is the subject of the complaint. Notwithstanding K.S.A. 74-2438a, and amendments thereto, no filing fee shall be charged by the executive director of the state board of tax

appeals for a complaint filed pursuant to this paragraph. The governing body of the taxing subdivision making the levy that is the subject of the complaint shall be a party to the proceeding. Notice of any summary proceeding or hearing shall be served upon such governing body, the county clerk, the director of accounts and reports and the complaining party. It shall be the duty of the governing body to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity of such levy. If upon a summary proceeding or hearing, it shall be made to appear to the satisfaction of the board that the governing body of the taxing subdivision did not comply with subsection (b), the state board of tax appeals shall order such governing body to refund to taxpayers the amount of property taxes over collected or reduce the taxes levied, if uncollected. The provisions of this paragraph shall not be construed as prohibiting any other remedies available under the law.

(d) On and after January 1, 2022, in the event that the 20 mills levied by a school district pursuant to K.S.A. 72-5142, and amendments thereto, increases the property tax revenue generated for the purpose of calculating the revenue neutral rate from the previous tax year and such amount of increase in revenue generated from the 20 mills is the only reason the school district would exceed the total property tax revenue from the prior year, the school district shall be deemed to not have exceeded the revenue neutral rate in levying a tax rate in excess of the revenue neutral rate to take into account the increase in revenue from only the 20 mills.

(e) (1) Notwithstanding any other provision of law to the contrary, if the governing body of a taxing subdivision must conduct a public hearing to approve exceeding the revenue neutral rate under this section, the governing body of the taxing subdivision shall certify, on or before October 1, to the proper county clerk the amount of ad valorem tax to be levied.

(2) If a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and certifies to the county clerk an amount of ad valorem tax to be levied that would result in a tax rate in excess of its revenue neutral rate, the county clerk shall reduce the ad valorem tax to be levied to the amount resulting from such taxing subdivision's revenue neutral rate.

(f) As used in this section:

(1) "Taxing subdivision" means any political subdivision of the state that levies an ad valorem tax on property.

(2) "Revenue neutral rate" means the tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year's total assessed valuation. To calculate the revenue neutral rate, the county clerk shall divide the property tax revenue for such taxing subdivision levied for the previous tax year by the total of all taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply the quotient by 1,000 to express the rate in mills. The revenue neutral rate shall be expressed to the third decimal place.

(g) In the event that a county clerk incurred costs of printing and postage that were not reimbursed pursuant to K.S.A. 2023 Supp. 79-2989, and amendments thereto, such county clerk may seek reimbursement from all taxing subdivisions required to send the notice. Such costs shall be shared proportionately by all taxing subdivisions that were included on the same notice based on the total property tax levied by each taxing subdivision. Payment of such costs shall be due to the county clerk by December 31.

(h) The department of administration or the director of accounts and reports shall

make copies of adopted budgets, budget certificates, other budget documents and revenue neutral rate documents available to the public on the department of administration's website on a permanently accessible web page that may be accessed via a conspicuous link to that web page placed on the front page of the department's website. The department of administration or the director of accounts and reports shall also make the following information for each tax year available on such website:

- (1) A list of taxing subdivisions by county;
- (2) whether each taxing subdivision conducted a hearing to consider exceeding its revenue neutral rate;
- (3) the revenue neutral rate of each taxing subdivision;
- (4) the tax rate resulting from the adopted budget of each taxing subdivision; and
- (5) the percent change between the revenue neutral rate and the tax rate for each taxing subdivision.

(i) Notwithstanding any provisions to the contrary, in the event any governing body does not comply with the provisions of subsection (b) because such governing body did not intend to exceed its revenue neutral rate but the final taxable assessed valuation of such taxing subdivision used to calculate the actual tax levy is less than the estimated assessed valuation used to calculate the revenue neutral rate, such governing body shall be permitted to levy a tax rate that generates the same amount of property tax revenue as levied the previous year or less.

Sec. 16. K.S.A. 2023 Supp. 79-2989 is hereby amended to read as follows: 79-2989. (a) For calendar years ~~2022 and~~ 2023 and 2024, if a county clerk has printing or postage costs pursuant to K.S.A. 2023 Supp. 79-2988, and amendments thereto, the county clerk shall notify and provide documentation of such costs to the secretary of revenue. The secretary of revenue shall certify the amount of moneys attributable to such costs and shall transmit a copy of such certification to the director of accounts and reports. Upon such receipt of such certification, the director of accounts and reports shall transfer an amount of moneys equal to such certified amount from the state general fund to the taxpayer notification costs fund of the department of revenue. The secretary of revenue shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(b) There is hereby established in the state treasury the taxpayer notification costs fund that shall be administered by the secretary of revenue. All expenditures from the taxpayer notification costs fund shall be for the purpose of paying county printing and postage costs pursuant to K.S.A. 2023 Supp. 79-2988, and amendments thereto. All expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of revenue or the secretary's designee.

Sec. 17. K.S.A. 79-32,107 is hereby amended to read as follows: 79-32,107. (a) All penalties and interest prescribed by K.S.A. 79-3228, and amendments thereto, for noncompliance with the income tax laws of Kansas shall be applicable for noncompliance with the provisions of the Kansas withholding and declaration of estimated tax act relating to withholding tax which shall be enforced in the same manner as the Kansas income tax act. A penalty at the same rate per annum prescribed by ~~subsection (b) of~~ K.S.A. 79-2968**(b)**, and amendments thereto, for interest upon delinquent or unpaid taxes shall be applied and added to a taxpayer's amount of underpayment of estimated tax due from the date the estimated tax payment was due

until the same is paid or until the 15th day of the fourth month following the close of the taxable year for which such estimated tax is a credit, whichever date is earlier, but such penalty shall not be added if the total amount thereof does not exceed \$1. For purposes of this subsection, the amount of underpayment of estimated tax shall be the excess of the amount of the installment which would be required to be paid if the estimated tax were equal to 90% of the tax shown on the return for the taxable year or, if no return was filed, 90% of the tax for such year, over the amount, if any, of the installment paid on or before the last date prescribed for payment. Amounts due from any employer on account of withholding or from any taxpayer for estimated tax may be collected by the director in the manner provided for the collection of state income tax in K.S.A. 79-3235, and amendments thereto. For purposes of this subsection, "underpayment of tax" means the difference between the amount of tax actually paid and the amount of tax which would have been required to be paid to avoid penalty pursuant to subsection (b) or (c).

(b) No penalty or interest shall be imposed upon any individual with respect to any underpayment of any installment if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of such installment equals or exceeds the amount which would have been required to be paid on or before such date if the estimated tax were whichever of the following is the least:

(1) The tax shown on the return of the individual for the preceding taxable year, if a return showing a liability for tax was filed by the individual for the preceding taxable year;

(2) zero if no return was required to be filed or if the tax liability on the individual's return was less than \$200 for the preceding taxable year;

(3) an amount equal to $66\frac{2}{3}\%$, in the case of individuals referred to in ~~subsection (b) of~~ K.S.A. 79-32,102(b), and amendments thereto, and 90%, in the case of all other individuals, of the tax for the taxable year computed by placing on an annualized basis, pursuant to rules and regulations adopted by the secretary of revenue, the taxable income for the months in the taxable year ending before the month in which the installment is required to be made.

(c) No penalty or interest shall be imposed upon any corporation with respect to any underpayment of any installment of estimated tax if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of such installment equals or exceeds the amount which would have been required to be paid on or before such date if the estimated tax were whichever of the following is the least:

(1) The tax shown on the return of the corporation for the preceding taxable year, if a return showing a liability for tax was filed by the corporation for the preceding taxable year, or zero if no return was required to be filed, or if the tax liability on the corporation's return was less than \$500 for the preceding taxable year; or

(2) (A) an amount equal to 90% of the tax for the taxable year computed by placing on an annualized basis the taxable income:

(i) For the first three months of the taxable year, in the case of the installment required to be paid in the fourth month;

(ii) for the first three months or for the first five months of the taxable year, in the case of the installment required to be paid in the sixth month;

(iii) for the first six months or for the first eight months of the taxable year in the

case of the installment required to be paid in the ninth month; and

(iv) for the first nine months or for the first 11 months of the taxable year, in the case of the installment required to be paid in the 12th month of the taxable year.

(B) For purposes of this ~~subsection paragraph~~ (2), the taxable income shall be placed on an annualized basis by:

(i) Multiplying by 12 the taxable income referred to in ~~subsection (2)(A), subparagraph (A);~~ and

(ii) dividing the resulting amount by the number of months in the taxable year (three, five, six, eight, nine, or 11, as the case may be) referred to in ~~subsection (2)(A) subparagraph (A).~~

(d) If the employer, in violation of the provisions of this act, fails to deduct and withhold under this chapter, and thereafter the tax against which such withholding may be credited is paid, the amount otherwise required to be deducted and withheld shall not be collected from the employer. This subsection shall in no case relieve the employer from liability for any penalties or additions to the tax otherwise applicable in respect of such failure to deduct and withhold.

(e) Any person required to collect, truthfully account for, and pay over any tax imposed by this act, who willfully fails to collect such tax, or truthfully account for and pay over such tax, or willfully attempts in any manner to evade or defeat any such tax or the payment thereof, shall in addition to the other penalties of this section be liable to a penalty equal to the total amount of the tax evaded, or not collected, or not accounted for and paid over. As used in this section, "willfully" has the same meaning as such term has for federal tax purposes in 26 U.S.C. § 6672.

(f) (1) In case of failure by any employer required by ~~subsection (b)~~ of K.S.A. 79-3298(b), and amendments thereto, to remit any amount of withheld taxes by the date prescribed therefor, unless it is shown that such failure is due to reasonable cause and not due to willful neglect, there shall be imposed upon such person a penalty of ~~15% of the amount of the underpayment;~~

(A) 2% of the amount of the underpayment if remitted within one to five days;

(B) 5% of the amount of the underpayment if remitted within six to 15 days;

(C) 10% of the amount of the underpayment if remitted after 15 days; and

(D) 15% of the amount of the underpayment if remitted after 15 days and the department has issued a notice to the person regarding the underpayment but the amount of the underpayment was not remitted within 10 days of issuance of the notice.

(2) For purposes of this subsection, the term "underpayment" means the excess of the amount of the tax required to be withheld and remitted over the amount, if any, remitted on or before the date prescribed therefor. The failure to remit for any withholding period shall be deemed not to continue beyond the last date prescribed for filing the annual return as required by ~~subsection (d)~~ of K.S.A. 79-3298(d), and amendments thereto. Penalty and interest as prescribed by K.S.A. 79-3228, and amendments thereto, shall not begin to accrue under subsection (a) ~~of this section~~ on the amount of any such underpayment until the due date of the annual return for the calendar year in which such failure to remit occurs.

(g) Whenever the secretary or the secretary's designee determines that the failure of the taxpayer to comply with the provisions of subsections (a), (e); or (f) ~~of this section~~ was due to reasonable causes, the secretary or the secretary's designee may waive or reduce any of ~~said such~~ penalties and may reduce the interest rate to the underpayment

rate prescribed and determined for the applicable period under section 6621 of the federal internal revenue code as in effect on January 1, 1994, upon making a record of the reasons therefor.

Sec. 18. K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state

other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an

itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount ~~deducted by reason of a~~ of any interest expense paid or accrued in a previous taxable year but allowed as a deduction pursuant to section 163 of the federal internal revenue code in the current taxable year by reason of the carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code ~~of 1986, as in effect on January 1, 2018. For purposes of this paragraph, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable pursuant to section 163 of the federal internal revenue code if the limitation pursuant to section 163(j) of the federal internal revenue code did not exist.~~

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain

which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) ~~(1) For taxable years beginning after December 31, 1976, 2021, the amount of the any federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C(a). For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.~~

(2) For taxable years beginning after December 31, 2019, and ending before January 1, 2022, 50% of the amount of the federal employee retention credit disallowance under rules similar to the rules of 26 U.S.C. § 280C(a). The taxpayer shall be required to prove that such taxpayer previously filed Kansas income tax returns and paid Kansas income tax on the disallowed amount. Notwithstanding any other provision of law to the contrary, any claim for refund or amended return relating to this subparagraph shall be allowed to be filed on or before April 15, 2025, and no claim for refund or amended return shall be allowed or filed after April 15, 2025.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal

savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of

household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) (1) For all taxable years commencing after December 31, 2020, the amount of any interest expense paid or accrued in the current taxable year and disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(2) For purposes of this paragraph, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable pursuant to section 163 of the federal internal revenue code if the limitation pursuant to section 163(j) of the federal internal revenue code did not exist.

(3) For tax year 2021, an amount equal to the sum of any interest expenses paid or accrued in tax years 2018, 2019 and 2020 less the sum of amounts allowed as a deduction pursuant to section 163 of the federal internal revenue code in tax years 2018, 2019 and 2020.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(xxix) For taxable years beginning after December 31, 2017, for an individual taxpayer who carried back federal net operating losses arising in a taxable year beginning after December 31, 2017, and before January 1, 2021, pursuant to section 172(b)(1) of the federal internal revenue code as amended by the coronavirus aid, relief, and economic security act (CARES act), the amount of such federal net operating loss carryback for each applicable year. If the amount of such federal net operating loss carryback exceeds the taxpayer's Kansas adjusted gross income for such taxable year, the amount thereof that exceeds such Kansas adjusted gross income may be carried forward as a subtraction modification in the following taxable year or years until the total amount of such federal net operating loss carryback has been deducted, except that no such unused amount shall be carried forward for deduction as a subtraction modification after the 20th taxable year following the taxable year of the net operating loss. Notwithstanding any other provision of law to the contrary, an extension of time shall be allowed for a claim for refund or amended return for tax years 2018, 2019 or 2020 limited to the application of the provisions of this paragraph and such claim for refund or amended return must be filed on or before April 15, 2025.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 19. K.S.A. 2023 Supp. 79-32,212 is hereby amended to read as follows: 79-32,212. (a) For taxable years 2002 through ~~2024~~ 2029, there shall be allowed as a credit against the tax liability of a taxpayer imposed under the Kansas income tax act, an amount equal to 100% of the amount attributable to the retirement of indebtedness authorized by a single city port authority established before January 1, 2002. In no event shall the total amount of the credits allowed under this section exceed \$500,000 for any one fiscal year.

(b) Upon certification by the secretary of revenue of the amount of any such credit, the director of accounts and reports shall issue to such taxpayer a warrant for such amount which shall be deemed to be a capital contribution.

(c) For tax years 2013 through 2021, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to K.S.A. 79-32,110(c), and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability.

(d) For tax years 2022 through ~~2024~~ 2029, the income tax credit provided by this section shall be available to all taxpayers subject to the income tax imposed pursuant to K.S.A. 79-32,110, and amendments thereto, and shall be applied only against such taxpayer's income tax liability.

Sec. 20. K.S.A. 2023 Supp. 79-32,284 is hereby amended to read as follows: 79-32,284. (a) K.S.A. 2023 Supp. 79-32,284 through 79-32,289, and amendments thereto, shall be known and may be cited as the salt parity act.

(b) The legislature finds and declares that:

(1) The deductibility of state income taxes should be the same for C corporations, S corporations and partnerships; and

(2) the purpose of the tax credit in K.S.A. 2023 Supp. 79-32,288, and amendments thereto, is to avoid double taxation of income on electing pass-through entity owners.

(c) The provisions of this act shall be a part of and supplemental to the Kansas income tax act.

Sec. 21. K.S.A. 2023 Supp. 79-32,287 is hereby amended to read as follows: 79-32,287. (a) With respect to any taxable period for which it has made the election under K.S.A. 2023 Supp. 79-32,286, and amendments thereto, an electing pass-through entity shall be subject to a tax in an amount equal to ~~5.7% of the highest rate of tax for the applicable income tax year under K.S.A. 79-32,110(a), and amendments thereto,~~ multiplied by the sum of:

(1) Each resident nonresident electing pass-through entity owner's pro rata or distributive share of the electing pass-through entity's income and each nonresident electing pass-through entity owner's distributive share of income attributable to the state; all as; and

(2) each resident electing pass-through entity owner's pro rata or distributive share of the electing pass-through entity's income calculated as either: (A) The sum of income attributable to the state and income not attributable to the state; or (B) income attributable to the state. The electing pass-through entity must use the same method of calculation for all resident electing pass-through entity owners. The provisions of

paragraphs (1) and (2) shall be determined pursuant to K.S.A. 79-32,130, 79-32,131, 79-32,133 and 79-32,139, and amendments thereto.

(b) An electing pass-through entity shall be treated as a corporation under K.S.A. 79-32,101, and amendments thereto, with respect to the tax imposed under this act, except that K.S.A. 79-32,107, and amendments thereto, shall not apply during the first taxable period for which this act is applicable.

(c) Any credit allowed pursuant to article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, ~~except K.S.A. 79-32,111(a), and amendments thereto;~~ that is attributable to the activities of an electing pass-through entity in the taxable year shall be passed through to and claimed by the entity ~~and not passed through to or claimed by the~~ electing pass-through entity owner ~~only for taxable periods when the election is allowed and made by an electing pass-through entity under K.S.A. 2023 Supp. 79-32,286, and amendments thereto.~~ Notwithstanding any provision to the contrary in article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, any excess income tax credit, net operating loss or other modification may be carried forward on the electing pass-through entity's return but may only be utilized in a year in which the electing pass-through entity has made the election allowed in K.S.A. 2023 Supp. 79-32,286, and amendments thereto, except that any limitation specified in the specific section for an income tax credit, the net operating loss or any other modification shall apply to the electing pass-through entity. If in a taxable period subsequent to a period in which an election under K.S.A. 2023 Supp. 79-32,286, and amendments thereto, was made, an election under K.S.A. 2023 Supp. 79-32,286, and amendments thereto, is not allowed or not made by an electing pass-through entity, any excess income tax credits may be transferred to the electing pass-through entity owners. Any excess income tax credits shall be available to each electing pass-through owner in the same proportion and manner as would have applied without the election under K.S.A. 2023 Supp. 79-32,286, and amendments thereto, for the taxable period in which each respective income tax credit was generated. All other rights and obligations pertaining to the excess income tax credits shall be transferred to the electing pass-through entity owners.

(d) Any modification to federal taxable income pursuant to K.S.A. 79-32,117 or 79-32,138, and amendments thereto, and any expensing deduction allowed pursuant to K.S.A. 79-32,143a, and amendments thereto, that is attributable to the activities of an electing pass-through entity in the taxable year shall be claimed on:

- (1) The electing pass-through entity's return; and
- (2) each electing pass-through entity owner's individual return, in the same proportion and manner as would have applied without the election under K.S.A. 2023 Supp. 79-32,286, and amendments thereto.

(e) The provisions of article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, regarding the collection, administration and enforcement of tax shall be applicable to the tax due under this section, and notwithstanding the provisions of K.S.A. 79-32,129 and 79-32,139, and amendments thereto, an electing pass-through entity shall be a taxpayer.

(f) The provisions of this section shall apply to taxable years commencing on or after January 1, 2022.;

Also on page 2, in line 19, by striking "68-1011 and 68-1036"; also in line 19, before "are" by inserting "79-257, 79-258, 79-306, 79-332a, 79-1422, 79-1427a, 79-1496 and

79-32,107 and K.S.A. 2023 Supp. 12-187, 12-189, 12-192, 74-2433f, 79-1476, 79-2988, 79-2989, 79-32,117, 79-32,212, 79-32,284 and 79-32,287";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 8; in line 9, by striking all before the semicolon and inserting "taxation; relating to property taxation; reducing penalties for the late filing of or the failure to file statements listing personal property for assessment and the discovery of escaped personal property; reporting changes after initial statement; allowing for filing of an appraisal by a certified residential real property appraiser for appeal purposes; accounting for adverse influences in the valuation of agricultural land; including properties used for registered agritourism activities as land devoted to agricultural use for purposes of classification; providing a property tax exemption for new electric generation facilities and new pollution control devices and additions constructed or installed at electric generation facilities; discontinuing the current property tax exemptions for certain existing electric generation facilities; relating to tax levy rates; providing that county clerks are not required to send revenue neutral rate notices to property owners of exempt property; modifying and prescribing the contents of the revenue neutral rate public hearing notice; permitting a tax levy that generates the same amount of revenue as the previous year when the final assessed valuation decreases compared to the estimated assessed valuation; requiring that the governing body's vote be conducted on the same day as the commencement of the public hearing; extending reimbursement from the taxpayer notification costs fund for printing and postage costs for county clerks for calendar year 2024; relating to income taxation; providing subtraction modifications for certain federal credit disallowances and the employee retention credit disallowance and to permit the carryforward of certain net operating losses; clarifying the disallowed business interest expense deduction; extending the time period for the single city port authority tax credit; decreasing the penalties for failing to timely remit withholding income taxes of employees by employers; relating to the salt parity act; clarifying the determination of taxable income of an electing pass-through entity; providing for the passing through of tax credits to electing pass-through entity owners; relating to sales and compensating use tax; providing countywide retailers' sales tax authority for Rawlins, Marshall and Neosho counties; relating to the state board of tax appeals; authorizing teleconference or video conference hearings in the small claims and expedited hearings division"; also in line 9, by striking "68-1011 and 68-1036" and inserting "79-257, 79-258, 79-306, 79-332a, 79-1422, 79-1427a, 79-1496 and 79-32,107 and K.S.A. 2023 Supp. 12-187, 12-189, 12-192, 74-2433f, 79-1476, 79-2988, 79-2989, 79-32,117, 79-32,212, 79-32,284 and 79-32,287";

And your committee on conference recommends the adoption of this report.

ADAM SMITH

BRIAN BERGKAMP

TOM SAWYER

Conferees on part of House

CARYN TYSON

VIRGIL PECK

TOM HOLLAND

Conferees on part of Senate

Senator Tyson moved the Senate adopt the Conference Committee Report on **SB 410**.
On roll call, the vote was: Yeas 34; Nays 2; Present and Passing 1; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pyle, Reddi, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pittman, Steffen.

Present and Passing: Holland.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 438** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, following line 6, by inserting:

"New Section 1.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:
Kansas blueprint for literacy.....\$10,000,000

Provided, That expenditures shall be made by the above agency from such account in accordance with the Kansas blueprint for literacy: *Provided further*, That on or before September 1, 2024, the executive officer of the state board of regents shall certify to the director of the budget that each of the following research educational institutions has implemented two three-credit hour applied application courses and included such courses within the approved graduation requirements to earn a degree in elementary education and has implemented a common performance-based assessment for such courses on or before August 2024: The university of Kansas, Kansas state university and Wichita state university: *Provided, however*, That if the executive officer does not certify that the university of Kansas, Kansas state university and Wichita state university have implemented such courses and assessment on or before August 2024, then on September 1, 2024, of the \$10,000,000 appropriated for the above agency from the state general fund in the Kansas blueprint for literacy account, the sum of \$1,000,000 per institution that did not implement such courses and assessment is hereby lapsed: *And provided further*, That on or before September 1, 2024, the executive officer shall certify to the director of the budget that each of the following regional educational institutions has implemented two three-credit hour applied application courses and included such courses within the approved graduation requirements to earn a degree in elementary education and has implemented a common performance-based assessment for such courses on or before August 2024: Emporia state university, Fort Hays state university and Pittsburg state university: *And provided, however*, That if the executive officer does not certify that Emporia state university, Fort Hays state university and Pittsburg state university have implemented such courses and assessment on or before

August 2024, then on September 1, 2024, of the \$10,000,000 appropriated for the above agency from the state general fund in the Kansas blueprint for literacy account, the sum of \$500,000 per institution that did not implement such courses and assessment is hereby lapsed: *And provided, however*; That no expenditures shall be made by the above agency or any university from such account for the development of such courses or assessments: *And provided further*; That, at the same time as the executive officer transmits a copy of such certifications to the director of the budget, the executive officer shall transmit a copy of such certifications to the director of legislative research.

New Sec. 2. (a) Sections 2 through 8, and amendments thereto, shall be known and may be cited as the Kansas blueprint for literacy.

(b) Each provision of sections 2 through 8, and amendments thereto, that requires the expenditure of moneys shall be subject to legislative appropriations therefor.

(c) As used in sections 2 through 8, and amendments thereto:

(1) "In-service" means a licensed individual who is employed by a school district or accredited nonpublic school as a teacher.

(2) "Postsecondary educational institution" means:

(A) A state educational institution as defined in K.S.A. 76-711, and amendments thereto;

(B) a municipal university; and

(C) any not-for-profit institution of postsecondary education that has its main campus or principal place of operation in Kansas, is operated independently and not controlled or administered by a state agency or subdivision of this state, maintains open enrollment and is accredited by a nationally recognized accrediting agency for higher education in the United States.

(3) "Pre-service" means an individual who is receiving the education and training to become a licensed teacher but is not yet licensed.

(4) "Science of reading" means the teaching of reading using evidence-based research that includes phonemic awareness, phonics, fluency, vocabulary and comprehension.

(5) "Structured literacy" means the application of knowledge from the science of reading that teaches reading in an evidence-based and systematic way.

New Sec. 3. (a) There is hereby established a literacy advisory committee. The committee shall be composed of:

(1) 15 voting members as follows:

(A) The director of literacy education, appointed pursuant to section 4, and amendments thereto, who shall serve as chairperson of the committee;

(B) one member appointed by the governor;

(C) one member of the house of representatives or a literacy expert appointed by the speaker of the house of representatives;

(D) one member of the house of representatives or a literacy expert appointed by the minority leader of the house of representatives;

(E) one member of the senate or a literacy expert appointed by the president of the senate;

(F) one member of the senate or a literacy expert appointed by the minority leader of the senate;

(G) one member appointed by and representing the Kansas national education association;

(H) one member appointed by and representing a school of education from Emporia state university, Fort Hays state university or Pittsburg state university;

(I) one member appointed by and representing a school of education from the university of Kansas, Kansas state university or Wichita state university;

(J) one member appointed by and representing Washburn university school of education;

(K) one member appointed by the Kansas association of community colleges to represent community colleges;

(L) one member appointed by the Kansas independent colleges association to represent a not-for-profit institution of postsecondary education school or college of education;

(M) one member appointed by the state board of education;

(N) one member of the state board of regents appointed by the state board of regents; and

(O) one member who is an English for speakers of other languages literacy expert appointed by the united school administrators of Kansas; and

(2) nonvoting members as follows:

(A) The commissioner of education or the commissioner's designee; and

(B) any number of members appointed by the director of literacy education pursuant to section 4, and amendments thereto.

(b) (1) Members shall be appointed on or before July 1, 2024.

(2) Except for the director of literacy education, voting members shall serve for a term of four years.

(3) Any vacancy in the membership of the committee shall be filled by appointment in the same manner prescribed by this section for the original appointment.

(4) A quorum of the committee shall be a majority of the voting members. All actions of the committee may be taken by a majority of the voting members present when there is a quorum.

(5) The committee may meet at any time and at any place within the state upon the call of the chairperson.

(6) If any member of the committee fails to attend three meetings of the committee within any 12-month period, such member's appointment shall terminate and a new member shall be appointed in the same manner prescribed by this section for the original appointment.

(c) The literacy advisory committee shall:

(1) Monitor progress of literacy training for in-service and pre-service teachers and literacy education of elementary and secondary students;

(2) designate best practices for literacy training for in-service and pre-service teachers and literacy education of elementary and secondary students;

(3) be responsible for the attainment of the transformational goal to have 100% of the Kansas special education, English for speakers of other languages and elementary teacher workforce achieve a micro-credential in the science of reading and structured literacy by 2030, leading to at least 50% of students in each of the grades three through eight achieving level 3 or above and at least 90% of students in each of the grades three through eight achieving level 2 or above on the English language arts state assessment by 2033;

(4) make recommendations to the director of literacy education;

(5) make recommendations to the state board of education, the state board of regents and the postsecondary educational institution presidents or chancellors on:

(A) Literacy training for in-service and pre-service teachers and literacy education of elementary and secondary students; and

(B) reading instruction methods based on the science of reading;

(6) make recommendations to the house of representatives standing committee on education and the senate standing committee on education on the implementation of the goals of the Kansas blueprint for literacy and any changes necessary to achieve such goals;

(7) (A) submit a progress report to the legislature on:

(i) English language arts state assessment scores for each grade level and all defined subgroups, including, but not limited to, English language learners, students receiving free meals pursuant to the national school lunch act, students in the custody of the secretary for children and families and race and ethnicity subgroups;

(ii) literacy training for in-service and pre-service teachers; and

(iii) the literacy advisory committee's goals and requirements provided in the Kansas blueprint for literacy;

(B) Such progress report shall be provided at the following times each calendar year:

(i) Once on or before February 1 to the senate committee on education and the house of representatives committee on education;

(ii) once on or before May 1 to the senate committee on education and the house of representatives committee on education; and

(iii) once on or before December 1 to any interim, special, or select committee, task force or commission that has membership that includes legislators, is related to education, has been approved by the legislative coordinating council and requests such report; and

(8) submit a plan to the state board of regents and the legislature, including the house of representatives standing committee on education and the senate standing committee on education, on the establishment of centers of excellence in reading pursuant to section 8, and amendments thereto, on or before January 1, 2025.

(d) The committee shall be subject to the Kansas open records act, K.S.A. 45-419 et seq., and amendments thereto, and the Kansas open meetings act, K.S.A. 75-4317 et seq., and amendments thereto. The committee shall publish each meeting agenda and any available meeting documents online prior to each scheduled meeting of the committee.

(e) (1) Legislative members of the committee and members appointed by a member of the legislature who attend meetings of the committee shall be paid for expenses, mileage and subsistence as provided in K.S.A. 75-3223(e), and amendments thereto.

(2) Members of the committee who are not members of the legislature may be paid for expenses, mileage and subsistence by the entity each such member was appointed by and represents.

(f) (1) The director of literacy education shall provide executive support to the committee.

(2) The staff of the state board of regents, office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the committee.

New Sec. 4. (a) On or before July 1, 2024, the executive officer of the state board of regents shall appoint a director of literacy education.

(b) The director of literacy education shall be an employee of the state board of regents in the unclassified service who serves at the pleasure of the state board of regents. The compensation of the director shall be determined by the executive officer of the state board of regents.

(c) The director of literacy education shall:

(1) Serve as chairperson of the literacy advisory committee established in section 3, and amendments thereto;

(2) implement and administer the Kansas blueprint for literacy;

(3) provide executive support to the literacy advisory committee;

(4) appoint nonvoting members of the literacy advisory committee as the director deems necessary;

(5) work with the state board of education and the state board of regents to ensure:

(A) Progress on the initiatives, objectives and desired outcomes in the Kansas blueprint for literacy;

(B) the development and utilization of the comprehensive assessment system; and

(C) state educational institutions and elementary and secondary schools are using tier I literacy methodologies;

(6) encourage independent institutions referred to in section 2(c)(2)(C), and amendments thereto, to use such tier I methodologies;

(7) establish a program to track the science of reading and structured literacy training progression of in-service and pre-service early childhood and elementary teachers, special education teachers and paraprofessionals, reading specialists and early childhood and elementary administrators for all school districts in the state;

(8) on or before January 15 of each year, prepare and present a report to the senate standing committee on education and the house of representatives standing committee on education, or any successor committees, on the implementation and administration of the Kansas blueprint for literacy, including, but not limited to, an implementation timeline, progress of initiatives, development and utilization of the comprehensive assessment system, progress toward the goal established in section 3(c), and amendments thereto, use of tier I methodologies, outcomes and any proposed changes; and

(9) report to the house of representatives standing committee on education and the senate standing committee on education on or before January 31, 2025, on the progress of the state board of regents on utilization of the science of reading, elimination of discredited methodologies, use of universal screening measures and assessments in elementary and secondary schools in the state.

New Sec. 5. (a) Postsecondary educational institutions shall designate practices based on the science of reading through structured literacy as the official tier I literacy methodology and shall prohibit the use or teaching of any discredited methodologies, such as the three-cueing system.

(b) (1) The state board of regents, in collaboration with postsecondary educational institutions and research experts, shall establish a comprehensive reading and literacy assessment system with universal screening measures, diagnostic, formative and summative assessments to be used in teacher preparation programs in the state. Such assessment system shall allow teachers to adjust instruction to meet the specific needs

of students, including with regard to reading difficulties and the remediation of reading and literacy skill gaps. The state board of regents shall make recommendations to the state board of education on such assessment system and ensure that such assessment system is available on or before May 1, 2025. Nothing in this paragraph shall be construed to include the English language arts statewide assessment.

(2) The state board of regents shall:

- (A) Develop training modules for the assessments on or before July 1, 2025;
- (B) support state board of education action to officially designate the science of reading as the official tier I literacy methodology;
- (C) support elementary and secondary schools as necessary to eliminate any discredited methodologies;
- (D) recommend literacy-specific universal screening measures and diagnostic, formative and summative assessments to the state board of education; and
- (E) approve reading instruction methodologies recommended by the literacy advisory committee for state educational institutions.

(3) On or before July 1, 2025, no school district shall use any textbooks or instructional materials that utilize:

- (A) The three-cueing system model of reading as the primary basis for teaching word recognition;
- (B) visual memory as the primary basis for teaching word recognition; or
- (C) the three-cueing system model of reading based on meaning, structure and syntax and visual cues, commonly known as MVS.

(c) The director of literacy education shall report to the house of representatives standing committee on education and the senate standing committee on education on or before January 31, 2025, on the progress of the state board of regents on utilization of the science of reading, elimination of discredited methodologies, use of universal screening measures and assessments in elementary and secondary schools in the state.

New Sec. 6. The state board of regents and the state board of education shall collaborate to:

- (a) Jointly approve micro-credential requirements for in-service teachers or certification requirements for pre-service teachers at state educational institutions in the science of reading and structured literacy;
- (b) develop or make accessible professional development programs and micro-credential courses for all in-service early childhood teachers, general education teachers and special education teachers at low or no cost to such teachers. Such programs and courses shall be delivered by national online learning programs or accredited Kansas postsecondary educational institutions;
- (c) ensure all pre-service teacher preparation programs at state educational institutions are based on the science of reading and structured literacy;
- (d) publish standards and course progressions to achieve transparency of Kansas reading education programs; and
- (e) provide data for the program to the director of literacy education that tracks the science of reading and structured literacy training progression of in-service and pre-service early childhood and elementary teachers, special education teachers and paraprofessionals, reading specialists and early childhood and elementary administrators for all school districts in the state.

New Sec. 7. The president or chancellor, provost and dean of the college or school

of education of each postsecondary educational institution shall jointly have oversight and supervision of undergraduate and graduate level reading and literacy courses at their respective institution and shall:

(a) Ensure explicit courses in the science of reading and structured literacy, including the five pillars of reading for all undergraduate early childhood and elementary teacher preparation programs at state educational institutions;

(b) appoint one representative from each postsecondary educational institution to conduct an annual systemwide analysis of the curriculum maps across all literacy courses. Such analysis shall include identifying clear evidence of instructional approaches and the core components of reading development;

(c) present a report on such systemwide analysis and any results from such analysis to the literacy advisory committee;

(d) design and implement two three-credit hour applied application courses that shall be included within the approved graduation requirements to earn a degree in elementary education on or before August 2024;

(e) implement a common performance-based assessment for such courses to be used by all postsecondary educational institutions on or before August 2024;

(f) assist in the development of a science of reading and structured literacy micro-credential for early childhood teachers, elementary education teachers, English for speakers of other languages teachers, reading specialists, special education teachers and paraprofessionals, early childhood and elementary administrators that focuses on research-based fundamentals of reading instruction; and

(g) provide information, advice and recommendations to the literacy advisory committee.

New Sec. 8. The literacy advisory committee shall develop a plan to establish six regional centers of excellence in reading. The plan shall:

(a) Require postsecondary educational institutions to collaborate with colleges or schools of education, the center for reading at Pittsburg state university and community-based literacy organizations;

(b) include options that would allow centers for excellence in reading to be co-located in an existing building or school of a school district, postsecondary educational institution, community facility or other facility or building, as appropriate; and

(c) require such centers to:

(1) Provide evaluation and identification of reading difficulties and reading disabilities, including, but not limited, dyslexia;

(2) collaborate with school districts to develop strategic literacy plans for individual students;

(3) collaborate with the state department of education, state board of regents and postsecondary educational institutions to support pre-service and in-service teacher training;

(4) support the professional development and training of school-based instructional coaches;

(5) pilot structured reading applied learning simulation laboratories for pre-service and in-service teachers;

(6) pilot a literacy education simulation training laboratory for pre-service elementary teachers as a controlled environment for the application of the science of reading;

(7) identify projected cost, staffing and budget impacts to develop, expand and sustain the centers for excellence and reading simulation laboratories; and

(8) make recommendations and provide progress reports to the literacy advisory committee.

Sec. 9. K.S.A. 2023 Supp. 72-5170 is hereby amended to read as follows: 72-5170.

(a) (1) In order to accomplish the mission for Kansas education, the state board shall design and adopt a school district accreditation system based upon improvement in performance that equals or exceeds the educational goal set forth in K.S.A. 72-3218(c), and amendments thereto, and is measurable. The state board shall hold all school districts accountable through the Kansas education systems accreditation rules and regulations, or any successor accreditation system and accountability plan adopted by the state board. The state board also shall ensure that all school districts and the public schools operated by such districts have programs and initiatives in place for providing those educational capacities set forth in K.S.A. 72-3218(c), and amendments thereto. On or before January 15 of each year, the state board shall prepare and submit a report on the school district accreditation system to the governor and the legislature.

(2) The accountability measures established pursuant to paragraph (1) shall be applied both at the district level and at the school level. Such accountability measures shall be reported by the state board for each school district and each school. All reports prepared pursuant to this section shall be published in accordance with K.S.A. 2023 Supp. 72-1181, and amendments thereto.

(3) If a school district is not fully accredited and a corrective action plan is required by the state board, such corrective action plan, and any subsequent reports prepared by the state board regarding the progress of such school district in implementing and executing such corrective action plan, shall be published on the state department of education's internet website and such school district's internet website in accordance with K.S.A. 2023 Supp. 72-1181, and amendments thereto.

(4) If a school district is not accredited, the superintendent, or the superintendent's designee, shall appear before the committee on education of the house of representatives and the committee on education of the senate during the regular legislative session that occurs during the same school year in which such school district is not accredited. Such school district shall provide a report to such committees on the challenges and obstacles that are preventing such school district from becoming accredited.

(b) The state board shall establish curriculum standards that reflect high academic standards for the core academic areas of mathematics, science, reading, writing and social studies. The curriculum standards shall be reviewed at least every seven years. Nothing in this subsection shall be construed in any manner so as to impinge upon any school district's authority to determine its own curriculum.

(c) (1) The state board shall provide for statewide assessments in the core academic areas of mathematics, science, reading, writing and social studies. The board shall ensure compatibility between the statewide assessments and the curriculum standards established pursuant to subsection (b). Such assessments shall be administered at three grade levels, as determined by the state board. The state board shall determine performance levels on the statewide assessments, the achievement of which represents high academic standards in the academic area at the grade level to which the assessment applies. The state board should specify high academic standards both for individual

performance and school performance on the assessments.

(2) (A) On or before January 15 of each year, the state board shall prepare and submit to the legislature a report on students who take the statewide assessments. Such report shall include:

(i) The number of students and such number expressed as a percentage of the total number of students who took the statewide assessments during the immediately preceding school year disaggregated by core academic area and by grade level; and

(ii) the percentage of students who took the statewide assessments in grade 10 who, two years after graduating from high school, obtained some postsecondary education disaggregated by statewide assessment achievement level.

(B) When such information becomes available, or as soon thereafter as practicable, the state board shall publish the information required for the report under subparagraph (A) on the website of the state department of education and incorporate such information in the performance accountability reports and longitudinal achievement reports required under K.S.A. 2023 Supp. 72-5178, and amendments thereto.

(C) The provisions of this paragraph shall expire on July 1, 2029.

(d) Each school year, on such date as specified by the state board, each school district shall submit the Kansas education system accreditation report to the state board in such form and manner as prescribed by the state board.

(e) Whenever the state board determines that a school district has failed either to meet the accreditation requirements established by rules and regulations or standards adopted by the state board or provide curriculum based on state standards and courses required by state law, the state board shall so notify the school district. Such notice shall specify the accreditation requirements that the school district has failed to meet and the curriculum that it has failed to provide. Upon receipt of such notice, the board of education of such school district is encouraged to reallocate the resources of the school district to remedy all deficiencies identified by the state board.

(f) Each school in every school district shall establish a school site council composed of the principal and representatives of teachers and other school personnel, parents of students attending the school, the business community and other community groups. School site councils shall be responsible for providing advice and counsel in evaluating state, school district, and school site performance goals and objectives and in determining the methods that should be employed at the school site to meet these goals and objectives. Site councils may make recommendations and proposals to the school board regarding budgetary items and school district matters, including, but not limited to, identifying and implementing the best practices for developing efficient and effective administrative and management functions. Site councils also may help school boards analyze the unique environment of schools, enhance the efficiency and maximize limited resources, including outsourcing arrangements and cooperative opportunities as a means to address limited budgets.

Sec. 10. K.S.A. 74-3284 is hereby amended to read as follows: 74-3284. (a) K.S.A. 74-3284 through 74-3289, and amendments thereto, shall be known and may be cited as the Kansas education opportunity scholarship program act.

(b) As used in this act:

~~(a)(1) "Kansas ethnic minority education opportunity scholarship program" means a program under which the state, in response to growing concerns over loss of talented ethnic minority students to institutions of postsecondary education in other states, the~~

~~need to enhance the diversity of the student population at Kansas institutions of postsecondary education, and the barriers to ethnic minority student enrollment at Kansas institutions of postsecondary education and for the purpose of enabling and encouraging talented ethnic minority students to remain in Kansas for the attainment of educational goals and fulfillment of career aspirations; provides financial assistance through the award of Kansas ethnic minority education opportunity scholarships to Kansas ethnic minority education opportunity scholars.~~

~~(b)(2) "Kansas ethnic minority education opportunity scholarship" means a financial award made by this state under this act to a Kansas ethnic minority education opportunity scholar.~~

~~(e)(3) "Kansas ethnic minority education opportunity scholar" means a person who:~~

- ~~(1)(A)(i) Is a resident of Kansas;~~
- ~~(2) is a member of an ethnic minority group;~~
- ~~(3)(ii) has been accepted for admission to or is enrolled full time in an educational program at an eligible institution;~~
- ~~(4)(iii) has established financial need; and~~
- ~~(5) has qualified for the award of a Kansas ethnic minority scholarship on the basis of having demonstrated educational ability, or who~~

~~(iv) is a first generation student or has a parent who is employed in Kansas as a teacher or paraprofessional for any of the grades pre-K through 12; or~~

~~(B) has previously so qualified and remains qualified for the renewal of a Kansas ethnic minority education opportunity scholarship on the basis of maintaining full-time enrollment in an educational program at an eligible institution, remaining in good standing, and making satisfactory progress toward completion of the requirements for the award of a degree or certificate of completion.~~

~~(d)(4) "Eligible institution" means an institution of postsecondary education which maintains open enrollment, the main campus or principal place of operation of which is located in Kansas, and which qualifies as an eligible institution under the higher education act of 1965 (P.L. 89-329), as amended, postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, or an accredited independent institution, as defined in K.S.A. 72-3222, and amendments thereto.~~

~~(e) "Ethnic minority group" means a group of persons categorized as: (1) American Indian or Alaskan Native; (2) Asian or Pacific Islander; (3) Black, non-Hispanic; or (4) Hispanic.~~

~~(f) "American Indian or Alaskan Native" means a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.~~

~~(g) "Asian or Pacific Islander" means a person having origins in any of the original peoples of the far east, southeast Asia, the Indian subcontinent, or pacific islands. This includes, but not by way of limitation, persons from China, Japan, Korea, the Philippine Islands, Samoa, India and Vietnam.~~

~~(h) "Black, non-Hispanic" means a person having origins in any of the black racial groups of Africa (except those of Hispanic origin).~~

~~(i) "Hispanic" means a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.~~

~~(j)(5) "Financial need" means the difference between the available financial resources of a Kansas ethnic minority education opportunity scholar and the scholar's~~

total anticipated expenses to attend an eligible institution. A scholar's financial resources shall be determined on the basis of criteria provided under the federal methodology of need analysis. ~~Financial need shall be determined annually.~~

~~(k)(6)~~ "First generation student" means an individual who does not have a parent or guardian who has completed a baccalaureate degree.

~~(7)~~ "Semester" means one of two principal terms when there are only two principal terms in the academic year of an eligible institution whether or not there are other shorter terms during the same academic year of the eligible educational institution.

~~(H)(8)~~ "Term" means one of two or more substantially equivalent divisions of the academic year of an eligible institution.

~~(m)(9)~~ "Program period" means the duration of the period of time, or any division thereof, required for completion of a vocational or technical education program which is given in at an eligible institution.

~~(n)~~ "Open enrollment" means the policy of an institution of postsecondary education which provides the opportunity of enrollment for any student who meets its academic and other reasonable enrollment requirements, without regard for race, gender, religion, creed, ethnicity or national origin.

Sec. 11. K.S.A. 74-3285 is hereby amended to read as follows: 74-3285. (a) In each academic year, to the extent that appropriations are available for the Kansas ~~ethnic minority education opportunity~~ scholarship program and in accordance with the provisions of this act, the state board of regents may select for designation as a Kansas ~~ethnic minority education opportunity~~ scholar and for the award of a Kansas ~~ethnic minority education opportunity~~ scholarship any person who is qualified for such designation and award ~~and~~. The state board of regents shall renew the scholarship of each Kansas ~~ethnic minority education opportunity~~ scholar who remains qualified for a scholarship.

(b) In selecting persons for designation as Kansas ~~ethnic minority education opportunity~~ scholars, the state board of regents shall provide, insofar as possible and on the basis of a formulated procedure, for equitable apportionment of Kansas ~~ethnic minority education opportunity~~ scholarships among the ethnic minority groups. The procedure formulated by the board of regents shall take into account: ~~(1) the differences among applicants in level of financial need and availability of financial resources so that scholarships are targeted to those applicants having the greatest needs; (2) the proportion that the population of each ethnic minority group bears to the population of all ethnic minority groups in the state; and (3) the differences across ethnic minority groups in the proportion of members thereof who complete high school.~~ Financial need shall be determined annually.

(c) An applicant who fails to be awarded a Kansas ~~ethnic minority education opportunity~~ scholarship shall not be disqualified from applying therefor in a later academic year so long as all requirements for eligibility to apply for such award are met.

(d) The award or renewal of a Kansas ~~ethnic minority education opportunity~~ scholarship shall be on an annual basis and shall be effective for one academic year unless otherwise terminated.

Sec. 12. K.S.A. 74-3286 is hereby amended to read as follows: 74-3286. (a) A Kansas ~~ethnic minority education opportunity~~ scholarship shall provide for payment to a Kansas ~~ethnic minority education opportunity~~ scholar of an amount in each academic

year not to exceed an amount equal to 75% of the average amount of the total tuition and required fees of full-time, in-state students. A Kansas ~~ethnic minority education opportunity~~ scholar may receive a Kansas ~~ethnic minority education opportunity~~ scholarship for not more than eight semesters of undergraduate study or the equivalent thereof, except that a Kansas ~~ethnic minority education opportunity~~ scholar may receive a Kansas ~~ethnic minority education opportunity~~ scholarship for not more than an additional two semesters of study or the equivalent thereof when the requirements of the program in which the scholar is enrolled include the completion of a fifth year of study. The state board of regents shall determine the equivalent of a semester when any program period or all or part of the terms for which a Kansas ~~ethnic minority education opportunity~~ scholar is awarded a Kansas ~~ethnic minority education opportunity~~ scholarship are not semesters.

(b) A Kansas ~~ethnic minority education opportunity~~ scholar who is also eligible to receive a Kansas comprehensive grant or a state scholarship may be awarded such grant or scholarship, or both, in addition to a Kansas ~~ethnic minority education opportunity~~ scholarship. In no event shall the amount awarded to a Kansas ~~ethnic minority education opportunity~~ scholar under a Kansas ~~ethnic minority education opportunity~~ scholarship or the total of any amounts awarded thereunder and under a state scholarship or a Kansas comprehensive grant, or both, exceed an amount equal to the amount of the scholar's financial need for the period.

Sec. 13. K.S.A. 74-3287 is hereby amended to read as follows: 74-3287. The state board of regents shall adopt rules and regulations for administration of the provisions of this act and shall:

(a) Publicize the Kansas ~~ethnic minority education opportunity~~ scholarship program and the manner and method of qualifying for designation as a Kansas ~~ethnic minority education opportunity~~ scholar and for the award of a Kansas ~~ethnic minority education opportunity~~ scholarship;

(b) provide application forms;

(c) determine residence, as provided by law, of applicants for Kansas ~~ethnic minority education opportunity~~ scholarships;

(d) establish a system for identifying and categorizing members of ethnic minority groups;

(e) determine eligibility of applicants for Kansas ~~ethnic minority education opportunity~~ scholarships;

(f)(e) determine the evidence deemed necessary to be submitted as proof of educational ability;

(g)(f) designate Kansas ~~ethnic minority education opportunity~~ scholars;

(h)(g) notify each person who qualifies for designation as a Kansas ~~ethnic minority education opportunity~~ scholar and for the award of a Kansas ~~ethnic minority education opportunity~~ scholarship or who remains qualified as a Kansas ~~ethnic minority education opportunity~~ scholar for the renewal of a Kansas ~~ethnic minority education opportunity~~ scholarship;

(i)(h) approve and award or renew Kansas ~~ethnic minority education opportunity~~ scholarships;

(j)(i) determine the equivalent of a semester for the purpose of awarding Kansas ~~ethnic minority education opportunity~~ scholarships for any program period or term that is not a semester;

- (~~k~~)(j) define ~~full-time~~ full-time enrollment;
- (~~h~~)(k) provide for apportionment of Kansas ~~ethnic minority education opportunity~~ scholarships if appropriations therefor are insufficient for payment in full to all Kansas ~~ethnic minority education opportunity~~ scholars;
- (~~m~~)(l) request any eligible institution to furnish any information relating to and necessary for administration of this act;
- (~~n~~)(m) determine the average amount of tuition and fees required of full-time, in-state students for enrollment at the state educational institutions; and
- (~~o~~)(n) evaluate the Kansas ~~ethnic minority education opportunity~~ scholarship program annually, and make a report thereon to the governor and legislature.

Sec. 14. K.S.A. 74-3288 is hereby amended to read as follows: 74-3288. In accordance with the rules and regulations of the state board of regents, each ~~person~~ individual who desires to be designated as a Kansas ~~ethnic minority education opportunity~~ scholar and to receive a Kansas ~~ethnic minority education opportunity~~ scholarship shall:

- (a) Complete and file an application for a Kansas ~~ethnic minority education opportunity~~ scholarship;
- (b) submit the evidence required as proof of educational ability; and
- (c) report promptly any information requested relating to administration of this act.

Sec. 15. K.S.A. 74-3289 is hereby amended to read as follows: 74-3289. (a) Kansas ~~ethnic minority education opportunity~~ scholarships may be paid annually for two semesters or the equivalent thereof, and may be allocated equally between the semesters or the equivalent of semesters, or otherwise, as determined by the state board of regents. Kansas ~~ethnic minority education opportunity~~ scholarships shall be paid at a time or times to be determined by the state board of regents upon certification by an eligible institution that a Kansas ~~ethnic minority education opportunity~~ scholar is enrolled full time in an educational program. Payments of Kansas ~~ethnic minority education opportunity~~ scholarships shall be made upon vouchers approved by the administrative officer of the state board of regents designated by the state board and upon warrants of the director of accounts and reports. Payments of Kansas ~~ethnic minority education opportunity~~ scholarships may be made by the issuance of a single warrant to each eligible institution ~~at which~~ where a Kansas ~~ethnic minority education opportunity~~ scholar is enrolled for the total amount of Kansas ~~ethnic minority education opportunity~~ scholarships for all Kansas ~~ethnic minority education opportunity~~ scholars enrolled at that institution. The director of accounts and reports shall cause such warrant to be delivered to the eligible institution ~~at which~~ where such scholar or scholars are enrolled. Upon receipt of such warrant, the eligible institution shall credit immediately the account of each Kansas ~~ethnic minority education opportunity~~ scholar enrolled at that institution by an amount specified by the board of regents for each such scholar.

(b) If a Kansas ~~ethnic minority education opportunity~~ scholar discontinues attendance before the end of any semester or equivalent thereof, after an eligible institution has received payment under this section, the eligible institution shall pay to the state:

- (1) The entire amount ~~which~~ that such scholar would otherwise qualify to have refunded not to exceed the amount of the payment made under a Kansas ~~ethnic minority education opportunity~~ scholarship for the semester or equivalent thereof; or
- (2) if a Kansas ~~ethnic minority education opportunity~~ scholar has received

payments under any federal program of student assistance in the semester, the state's pro rata share of the entire amount ~~which that~~ such scholar would otherwise qualify to have refunded; not to exceed the amount of the payment made under a Kansas ~~ethnic minority education opportunity~~ scholarship for the semester or equivalent thereof.

(c) All amounts paid to the state by an eligible institution under subsection (b) shall be deposited in the state treasury and credited to the Kansas ~~ethnic minority education opportunity~~ scholarship discontinued attendance fund, ~~which~~. The Kansas ~~education opportunity scholarship discontinued attendance fund~~ is hereby created. All expenditures from the Kansas ~~ethnic minority education opportunity~~ scholarship discontinued attendance fund shall be for Kansas ~~ethnic minority education opportunity~~ scholarships.

Sec. 16. K.S.A. 74-3292 is hereby amended to read as follows: 74-3292. As used in this act:

(a) ~~"Committee" means the nursing service scholarship review committee established under K.S.A. 74-3299, and amendments thereto.~~

(b) ~~"Executive officer" means the chief executive officer of the state board of regents appointed under K.S.A. 74-3203a, and amendments thereto.~~

~~(e)~~(b) "Mental health or treatment facility" means:

(1) Any private treatment facility as ~~such term is~~ defined in K.S.A. 59-29b46, and amendments thereto;

(2) any public treatment facility as ~~such term is~~ defined in K.S.A. 59-29b46, and amendments thereto;

(3) any community mental health center organized pursuant to ~~the provisions of~~ K.S.A. 19-4001 through 19-4015, and amendments thereto, and licensed pursuant to K.S.A. 39-2001 et seq., and amendments thereto;

(4) any mental health clinic organized pursuant to ~~the provisions of~~ K.S.A. 65-211 through 65-215, and amendments thereto, and licensed pursuant to K.S.A. 39-2001 et seq., and amendments thereto;

(5) any psychiatric hospital, psychiatric residential treatment facility or residential care facility as such terms are defined in K.S.A. 39-2002, and amendments thereto;

(6) any hospital as defined in K.S.A. 65-425, and amendments thereto, provided if:

(A) The hospital has a psychiatric unit; and

(B) the scholarship recipient is required to fulfill the nursing service scholarship's employment obligations as an employee in the psychiatric unit of the hospital; or

(7) Osawatomie state hospital, Rainbow mental health facility, Larned state hospital, Parsons state hospital and training center or the Kansas neurological institute.

~~(d) "Rural area" means any county of this state other than Douglas, Johnson, Sedgwick, Shawnee and Wyandotte counties.~~

~~(e)~~(c) "School of nursing" means a school within the state of Kansas ~~which that~~ is approved by the state board of nursing to grant an associate degree or a baccalaureate degree in professional nursing or a certificate of completion in practical nursing and is:

(1) Under the control and supervision of the state board of regents; or

(2) a municipal university; or

(3) a not-for-profit independent institution of higher education that has its main campus or principal place of operation in Kansas, maintains open enrollment as ~~such term is~~ defined in K.S.A. 74-32,120, and amendments thereto, and is operated independently and not controlled or administered by the state or any agency or

subdivision thereof.

~~(f)(d)~~ "Sponsor" means any of the following that is located in a rural opportunity zone as defined in K.S.A. 74-50,222, and amendments thereto:

(1) An adult care home licensed under the adult care home licensure act, any K.S.A. 39-923 et seq., and amendments thereto;

(2) a medical care facility licensed under K.S.A. 65-425 et seq., and amendments thereto; any;

(3) a home health agency licensed under K.S.A. 65-5101 et seq., and amendments thereto; any;

(4) a local health department as defined in K.S.A. 65-241, and amendments thereto; any;

(5) a mental health or treatment facility; and any

(6) a state agency which that employs licensed practical nurses or licensed professional nurses.

Sec. 17. K.S.A. 74-3293 is hereby amended to read as follows: 74-3293. (a) There is hereby established the nursing service scholarship program. A scholarship may be awarded under the nursing service scholarship program to any qualified nursing student enrolled in or admitted to a school of nursing in a course of instruction leading to licensure as a licensed professional nurse or licensed practical nurse. A nursing student shall not be required to be a resident of Kansas to qualify for a scholarship under the nursing service scholarship program. ~~The number of new scholarships awarded under the nursing service scholarship program in each year shall not exceed 250. Of this number, except as otherwise provided in this section, 100 scholarships shall be awarded to nursing students whose sponsors are located in rural areas and who are enrolled in a course of instruction leading to licensure as a registered professional nurse, 50 scholarships shall be awarded to nursing students enrolled in a course of instruction leading to licensure as a licensed practical nurse and the remaining 100 scholarships shall be awarded to any nursing students who have a sponsor and who are enrolled in a course of instruction leading to licensure as a registered professional nurse. If all scholarships authorized to be awarded under this section to nursing students whose sponsors are located in rural areas have not been awarded by a date established by the state board of regents, the scholarships which have not been awarded by that date may be awarded to nursing students who have a sponsor and who are otherwise qualified to be awarded a scholarship under the nursing service scholarship program. The determination of the individuals qualified for such scholarships shall be made by the executive officer after seeking advice from the committee. Within each scholarship category prescribed by this subsection, Scholarships shall be awarded on a priority basis to qualified applicants: (1) Whose sponsor is a mental health or treatment facility; and (2) who have the greatest financial need for such scholarships. To the extent practicable and consistent with the other provisions of this section, consideration shall be given to minority applicants.~~

(b) Scholarships awarded under the nursing service scholarship program shall be awarded for the length of the course of instruction leading to licensure as a licensed professional nurse or licensure as a licensed practical nurse in which the student is enrolled ~~in~~ or admitted ~~to~~ unless otherwise terminated before the expiration of such period of time. ~~Such scholarships shall provide to a nursing student:~~

~~(1) If the nursing student is enrolled in a school of nursing operated by a state-~~

educational institution, an amount not to exceed 70% of the in-state tuition cost of attendance for an academic year at the school of nursing in which the nursing student is enrolled; or

(2) if the nursing student is enrolled in a school of nursing not operated by a state educational institution, the lesser of: (A) An amount not to exceed 70% of the in-state tuition cost of attendance for a year at the school of nursing in which the nursing student is enrolled; or (B) an amount not to exceed 70% of the average amount of the in-state tuition cost of attendance for a year at the schools of nursing operated by the state educational institutions.

(c)(1) Except as provided in paragraph (2), the amount of each scholarship shall be established annually by the executive officer ~~and shall be financed equally by the sponsor of the nursing student and by the state of Kansas except if:~~

(1) ~~The sponsor is located in a rural area or is a health care facility which has less than 100 beds, and is not a mental health or treatment facility pursuant to K.S.A. 74-3292(e)(1), (e)(5) or (e)(6), and amendments thereto, the total amount of the scholarship financed by such sponsor shall not exceed \$1,000 and the balance of such amount shall be paid by the state of Kansas; or~~

~~(2) the sponsor is a mental health or treatment facility pursuant to K.S.A. 74-3292(e)(2), (e)(3), (e)(4) or (e)(7), and amendments thereto, the amount of the scholarship shall be paid by the state and such sponsor shall not finance any amount of the scholarship.~~

(2) If the nursing student has a sponsor, then the amount of the scholarship for such nursing student shall not exceed the amount established under paragraph (1) multiplied by 125%.

Sec. 18. K.S.A. 74-3294 is hereby amended to read as follows: 74-3294. (a) An applicant for a scholarship under the nursing service scholarship program shall provide to the executive officer, on forms supplied by the executive officer, the following information:

- (1) The name and address of the applicant;
- (2) the name and address of the school of nursing in which the applicant is enrolled or to which the applicant has been admitted;
- (3) the name and address of the sponsor of the applicant and a verified copy of the agreement entered into by the applicant and the sponsor ~~in accordance with the provisions of the nursing service scholarship program; and~~
- (4) any additional information ~~which that~~ may be required by the executive officer.

(b) As a condition to awarding a scholarship under the nursing service scholarship program, the executive officer and the applicant for a scholarship shall enter into an agreement ~~which that~~ shall require that the scholarship recipient:

(1) Complete the required course of instruction and, within six months after completion, attain licensure with the Kansas state board of nursing as a licensed professional nurse or a licensed practical nurse;

(2) complete the free application for federal student aid for each academic year for which scholarship funds are awarded under the agreement;

(3) within six months after attaining licensure, engage in the full-time practice of nursing, or the equivalent to full-time practice, ~~in the employment of the sponsor in accordance with the agreement entered into by the scholarship recipient and the sponsor~~ Kansas and continue such full-time practice, or the equivalent to full-time practice, for

the total amount of time required under the agreement, which shall be for a period of not less than the length of the course of instruction for which scholarship assistance was provided, or engage in the part-time practice of nursing ~~in the employment of the sponsor in accordance with the agreement entered into by the scholarship recipient and the sponsor Kansas~~ and continue such part-time practice for the total amount of time required under the agreement, which shall be for a period of time that is equivalent to full time, as determined by the state board of regents, multiplied by the length of the course of instruction for which scholarship assistance was provided. If the scholarship recipient has a sponsorship agreement, then the scholarship recipient shall engage in the practice of nursing in the employment of such sponsor in accordance with such sponsorship agreement for the period of time required under this paragraph, except as provided in K.S.A. 74-3296, and amendments thereto;

~~(3)(4) commence the full time practice of nursing, or the equivalent to full time practice, or the part-time practice of nursing, within six months after registration in accordance with the agreement entered into by the scholarship recipient and the sponsor, continue such practice for the total amount of time required under the agreement, and comply with such other terms and conditions as may be specified by such agreement;~~

~~(4)(5) maintain records and make reports to the executive officer as may be required by the executive officer to document the satisfaction of the obligations under the nursing service scholarship program and under agreements entered into with the sponsor pursuant thereto and with the sponsor, if any; and~~

~~(5)(6) upon failure to satisfy an agreement to engage in the full-time practice of nursing, or the equivalent to full-time practice, or the part-time practice of nursing, for the required period of time under any such agreement, the requirements of the agreement with the state board of regents, repay to the state and to the sponsor the amounts as provided in K.S.A. 74-3295, and amendments thereto.~~

~~(c) Upon the awarding of a scholarship under the nursing service scholarship program, the sponsor shall pay to the executive officer the amount of such scholarship to be financed by the sponsor, if any. Each such amount shall be deposited in the nursing service scholarship program fund in accordance with K.S.A. 74-3298, and amendments thereto.~~

~~(d) The sponsorship by a scholarship recipient may be transferred from one sponsor to another upon the agreement of the original sponsor, the scholarship recipient and the sponsor to which the sponsorship is to be transferred. The terms, conditions and obligations of the transferred agreement shall be substantially similar to the terms, conditions and obligations of the original agreement. No sponsorship shall be transferred unless the agreement transferring such sponsorship provides for service in a rural area or in a mental health or treatment facility and is approved by the executive officer as consistent with the provisions of the nursing service scholarship program and as consistent with any rules and regulations relating thereto adopted by the state board of regents in accordance with the provisions of K.S.A. 74-3297, and amendments thereto.~~

Sec. 19. K.S.A. 74-3295 is hereby amended to read as follows: 74-3295. (a) Except as provided in K.S.A. 74-3296, and amendments thereto, upon the failure of any person to satisfy the obligation under any agreement entered into pursuant to the nursing service scholarship program, such person shall pay to the executive officer an amount

equal to the total amount of money received by such person pursuant to such agreement ~~which that~~ was financed by the state of Kansas plus accrued interest at a rate ~~which is equivalent to the interest rate applicable to loans made under the federal PLUS program~~ at the time such person first entered into an agreement plus five percentage points and shall pay to the sponsor an amount equal to the total amount of money received by such person pursuant to such agreement which was financed by the sponsor plus accrued interest at a rate which is equivalent to the interest rate applicable to loans made under the federal PLUS program at the time such person first entered into an agreement plus five percentage points of 5% per annum. Interest shall begin to accrue on the date of the action or circumstances that cause such person to fail to satisfy the obligations of such agreement, as determined by the executive officer based upon the circumstances of each individual case. Installment payments of any such amounts may be made in accordance with the provisions of agreements entered into by the scholarship recipient and the sponsor or if no such provisions exist in such agreements, in accordance with rules and regulations of the state board of regents, ~~except that~~. Such installment payments shall commence six months after the date of the action or circumstances that cause the failure of the person to satisfy the obligations of such agreements, ~~as determined by the executive officer based upon the circumstances of each individual case on which interest begins to accrue.~~ Amounts paid under this section to the executive officer shall be deposited in the nursing service scholarship repayment fund in accordance with K.S.A. 74-3298, and amendments thereto.

(b) The state board of regents is authorized to turn any repayment account arising under the nursing service scholarship program over to a designated loan servicer or collection agency, the state not being involved other than to receive payments from the loan servicer or collection agency at the interest rate prescribed under this section.

Sec. 20. K.S.A. 74-3296 is hereby amended to read as follows: 74-3296. (a) (1) Except as otherwise specified in the agreement with the sponsor, an obligation under any agreement entered into under the nursing student scholarship program shall be postponed:

- ~~(1)~~(A) During any required period of active military service;
- ~~(2)~~(B) during any period of service as a part of volunteers in service to America (VISTA);
- ~~(3)~~(C) during any period of service in the peace corps;
- ~~(4)~~(D) during any period of service commitment to the United States public health service;
- ~~(5)~~(E) during any period of religious missionary work conducted by an organization exempt from tax under section 501(c)(3) of the federal internal revenue code as in effect on ~~December 31, 2000~~ July 1, 2024;
- ~~(6)~~(F) during any period of time the person obligated is unable because of temporary medical disability to practice nursing;
- ~~(7)~~(G) during any period of time the person obligated is enrolled and actively engaged on a full-time basis in a course of study leading to a degree in the field of nursing ~~which that~~ is higher than that attained formerly by the person obligated;
- ~~(8)~~(H) during any period of time ~~that~~ the person obligated is on job-protected leave under the federal family and medical leave act of 1993; or
- ~~(9)~~(I) during any period of time the state board of regents determines that the person obligated is unable because of special circumstances to practice nursing.

(2) Except for ~~clauses (6), (8) and (9)~~ paragraphs (1)(F), (1)(H) and (1)(I), an obligation under any agreement entered into as provided in the nursing service scholarship program shall not be postponed more than five years from the time the obligation was to have been commenced under any such agreement.

(3) An obligation under any agreement entered into as provided in the nursing service scholarship program shall be postponed under ~~clause (6) paragraph (1)(F)~~ during the period of time the medical disability exists.

(4) An obligation under any agreement entered into as provided in the nursing service scholarship program shall be postponed under ~~clause (8) paragraph (1)(H)~~ during the period of time the person obligated remains on FMLA leave.

(5) An obligation under any agreement entered into as provided in the nursing service scholarship program shall be postponed under ~~clause (9) paragraph (1)(I)~~ during the period of time the state board of regents determines that the special circumstances exist.

(6) The state board of regents shall adopt rules and regulations prescribing criteria or guidelines for determination of the existence of special circumstances causing an inability to satisfy an obligation under any agreement entered into as provided in the nursing service scholarship program, and shall determine the documentation required to prove the existence of such circumstances. Except for ~~clauses (1), (6), (8) and (9) paragraphs (1)(A), (1)(F), (1)(H) and (1)(I)~~, an obligation under any agreement entered into as provided in the nursing service scholarship program shall not be postponed unless the postponement is approved by the scholarship recipient's sponsor, if any, or is otherwise provided for in ~~the~~ an agreement with the sponsor.

(b) An obligation under any agreement entered into as provided in the nursing service scholarship program shall be satisfied if:

(1) ~~If~~The obligation has been completed in accordance with the agreement;

(2) ~~if~~the person obligated dies;

(3) ~~if~~, because of permanent physical disability, the person obligated is unable to satisfy the obligation;

(4) ~~if~~the person obligated fails to satisfy the requirements for graduation from the school of nursing after making the best effort possible to do so; and

(5) ~~if~~the person obligated fails to satisfy all requirements for a permanent license to practice nursing in Kansas or has been denied a license after applying for a license and making the best effort possible to obtain such license; ~~(6) if, because of bankruptcy, loss of licensure or certification or other failure in the operations of the sponsor, the sponsor cannot or will not employ the person obligated; or (7) if the sponsor releases the person obligated from employment with the sponsor and the person obligated otherwise completes the terms, conditions and obligations of the agreement by engaging in the practice of nursing in Kansas.~~

(c) (1) An obligation under any sponsorship agreement shall be satisfied if:

(A) Because of bankruptcy, loss of licensure or certification or other failure in the operations of the sponsor, such sponsor cannot or will not employ the person obligated;
or

(B) the sponsor releases the person obligated from employment with such sponsor.

(2) Notwithstanding the provisions of paragraph (1), the person obligated shall still be required to complete the terms, conditions and obligations of the agreement with the state board of regents by engaging in the practice of nursing in Kansas.

Sec. 21. K.S.A. 74-3297 is hereby amended to read as follows: 74-3297. (a) ~~The state board of regents, after consultation with the committee, may adopt rules and regulations establishing minimum terms, conditions and obligations which shall be incorporated into the provisions of any agreement entered into between a sponsor and the recipient of a scholarship under the nursing service scholarship program. The terms, conditions and obligations shall be consistent with the provisions of law relating to the nursing service scholarship program. The terms, conditions and obligations so established shall include, but not be limited to, the terms of eligibility for financial assistance under the nursing service scholarship program, the amount of financial assistance to be offered, the length of employment with the sponsor required as a condition to the receipt of such financial assistance, the circumstances under which the employment obligation may be discharged or forgiven, the amount of money required to be repaid because of failure to satisfy the obligations under an agreement and the method of repayment and such other additional provisions as may be necessary to carry out the provisions of the nursing service scholarship program. The state board of regents, after consultation with the committee, shall adopt rules and regulations as necessary to administer the nursing service scholarship program.~~

(b) The state board of regents shall provide an annual written report on the nursing service scholarship program to the senate and house committees on education.

Sec. 22. K.S.A. 74-3298 is hereby amended to read as follows: 74-3298. (a) There is hereby created in the state treasury the nursing service scholarship program fund. The executive officer shall remit all moneys received from sponsors, ~~which are paid under K.S.A. 74-3294, and amendments thereto, pursuant to scholarship awards, or from a school of nursing, which that~~ are paid because of nonattendance or discontinued attendance by scholarship recipients, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the nursing service scholarship program fund. All expenditures from the nursing service scholarship program fund shall be for scholarships awarded under the nursing service scholarship program ~~or refunds to sponsors~~ and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive officer or by a person designated by the executive officer.

(b) The nursing student scholarship discontinued attendance fund is hereby abolished. On the effective date of this act, the director of accounts and reports shall transfer all moneys remaining in the nursing student scholarship discontinued attendance fund to the nursing service scholarship program fund.

(c) There is hereby created in the state treasury the nursing service scholarship repayment fund. The executive officer shall remit all moneys received for amounts paid under K.S.A. 74-3295, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the nursing service scholarship repayment fund. All expenditures from the nursing service scholarship repayment fund shall be for scholarships awarded under the nursing service scholarship program and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive officer or by a person designated by the

executive officer.";

On page 3, following line 20, by inserting:

"Sec. 24. K.S.A. 2023 Supp. 75-4364 is hereby amended to read as follows: 75-4364. (a) This section shall be known and may be cited as the Kansas hero's scholarship act.

(b) As used in this section:

(1) "Accident" means an undesigned, sudden and unexpected traumatic event, usually of an afflictive or unfortunate nature and often, but not necessarily, accompanied by a manifestation of force. An "accident" shall be identifiable by the time and place of occurrence, produce at the time symptoms of an injury and occur during a single work shift. The "accident" shall be the prevailing factor in causing the injury.

(2) "Covered person" means a public safety officer or Kansas resident in military service to whom this section applies.

(3) "Dependent" means: (A) A birth child, adopted child or stepchild; or (B) any child other than the foregoing who is actually dependent in whole or in part on the individual and who is related to such individual by marriage or consanguinity.

(4) "Emergency medical service provider" means the same as defined in K.S.A. 65-6112, and amendments thereto.

(5) "Fees" ~~mean~~ means those charges required by an institution to be paid by every student as a condition of enrollment. "Fees" ~~do~~ does not include all other charges associated with the student's academic program or living costs.

(6) "Firefighter" means a person who is: (A) Employed by any city, county, township or other political subdivision of the state and who is assigned to the fire department thereof and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom; or (B) a volunteer member of a fire district, fire department or fire company.

(7) "Injured or disabled" means that the covered person, because of the injury or disability, has been rendered incapable of performing the duties of the following:

(A) The position being performed at the time the injury or disability was sustained; and

(B) any position that is at or above the pay level of the position the covered person was in at the time the injury or disability was sustained, if the covered person is a paid employee.

(8) "Injury" and "disability" mean any lesion or change in the physical structure of the body causing damage or harm thereto that is not transitory or minor. "Injury" and "disability" shall occur only by accident, intentional act of violence or repetitive trauma.

(9) (A) "Intentional act of violence" means one or a combination of the following:

(i) A deliberate act by a third party that results in inflicting harm on a covered person while such person is performing those duties; or

(ii) a deliberate act by a covered person in the reasonable performance of duties as a covered person that results in the infliction of harm on the covered person.

(B) An "intentional act of violence" shall be identifiable by the time and place of occurrence, produce at the time symptoms of an injury and occur during a single work shift. The "intentional act of violence" shall be the prevailing factor in causing the injury.

(C) "Intentional act of violence" does not include repetitive trauma in any form.

(10) "Kansas postsecondary educational institution" means and includes

community colleges, the municipal university, state educational institutions, the institute of technology at Washburn university and technical colleges.

(11) "Law enforcement officer" means a person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes wardens, superintendents, directors, security personnel, officers and employees of adult and juvenile correctional institutions, jails or other institutions or facilities for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

(12) "Military service" means any active service in any armed service of the United States and any active state or federal service in the Kansas army or air national guard.

(13) "Nature of the employment" means that, to the occupation, trade or employment in which the covered person was engaged, there is attached a particular and peculiar hazard of the injury or disability that distinguishes the performance of job duties from other occupations and employments and that creates a hazard of such injury or disability in excess of the hazard of the injury or disability in general.

(14) "Prisoner of war" means any person who was a resident of Kansas at the time the person entered service of the United States armed forces and who, while serving in the United States armed forces, has been declared to be a prisoner of war, as established by the United States secretary of defense, after January 1, 1960.

(15) "Public safety employee" means any employee of a law enforcement office, sheriff's department, municipal fire department, volunteer and non-volunteer fire protection association, emergency medical services provider or correctional institution of the department of corrections.

(16) "Public safety officer" means a law enforcement officer, a firefighter, an emergency medical service provider or a public safety employee.

(17) (A) "Repetitive trauma" means the cause of an injury that occurs as a result of repetitive use, cumulative traumas or microtraumas. The repetitive nature of the injury shall be demonstrated by diagnostic or clinical tests. The "repetitive trauma" shall be the prevailing factor in causing the injury.

(B) For purposes of the educational benefit conferred by this section, "repetitive trauma" includes only an injury arising out of the performing of duties and resulting from the nature of the employment in which a covered person was engaged and that was actually contracted while so engaged. The injury shall appear to have had its origin in a special risk of the injury connected with the particular type of employment and to have resulted from that source as a reasonable consequence of the risk. Ordinary injuries of life and conditions to which the general public is or could be exposed outside of the particular employment, and hazards of injuries and conditions attending employment in general, shall not qualify as "repetitive trauma."

(18) "Resident of Kansas" means a person who is a domiciliary resident as defined by K.S.A. 76-729, and amendments thereto.

(19) "Spouse" means the spouse of a public safety officer or member of the military service who has not remarried.

(20) "State board" means the state board of regents.

(c) (1) Up to the aggregate limit for such financial assistance established for each academic year by the state board of regents based on the annual appropriated amounts

for the reimbursements paid pursuant to subsection (d), every Kansas postsecondary educational institution shall provide for enrollment without charge of tuition or fees for:

(A) Any eligible dependent or spouse of a public safety officer who:

- (i) Was injured or disabled while performing duties as a public safety officer; or
- (ii) died as the result of injury sustained while performing duties as a public safety officer;

(B) any dependent or spouse of any resident of Kansas who:

- (i) ~~Died or was injured or disabled on or after September 11, 2001, while, and as a result of, serving in military service;~~

(ii) sustained a service-connected injury or disability that rendered the servicemember incapable of continuing such servicemember's military service; or

~~(iii) is entitled to compensation from the United States department of veterans affairs for a service-connected disability of at least 80% because of a public statute administered by the department of veterans affairs or a military department as a result of injuries or accidents sustained in combat after September 11, 2001; and~~

(C) any prisoner of war.

(2) Any such dependent or spouse and any prisoner of war shall be eligible for enrollment at a Kansas postsecondary educational institution without charge of tuition or fees for not to exceed 10 semesters of undergraduate instruction, or the equivalent thereof, at all such institutions.

(d) Subject to appropriations therefor, any Kansas postsecondary educational institution, at which enrollment, without charge of tuition or fees, of a prisoner of war or a dependent or spouse is provided for under subsection ~~(b)~~ (c), may file a claim with the state board for reimbursement of the amount of such tuition and fees. ~~In any fiscal year, such reimbursement shall not exceed a total of \$500,000.~~ The state board shall include in its budget estimates pursuant to K.S.A. 75-3717, and amendments thereto, a request for appropriations to cover tuition and fee claims pursuant to this section. The state board shall be responsible for payment of reimbursements to Kansas postsecondary educational institutions upon certification by each such institution of the amount of reimbursement to which such institution is entitled. Payments to Kansas postsecondary educational institutions shall be made upon vouchers approved by the state board, or the state board's designee, and upon warrants of the director of accounts and reports. Payments may be made by issuance of a single warrant to each Kansas postsecondary educational institution at which one or more eligible dependents or spouses or prisoners of war are enrolled for the total amount of tuition and fees not charged for enrollment at that institution. The director of accounts and reports shall cause such warrant to be delivered to the Kansas postsecondary educational institution at which any such eligible dependents or spouses or prisoners of war are enrolled. If an eligible dependent or spouse or prisoner of war discontinues attendance before the end of any semester, after the Kansas postsecondary educational institution has received payment under this subsection, ~~the such~~ institution shall pay to the state the entire amount that such eligible dependent or spouse or prisoner of war would otherwise qualify to have refunded, not to exceed the amount of the payment made by the state in behalf of such dependent or spouse or prisoner of war for the semester. All amounts paid to the state by Kansas postsecondary educational institutions under this subsection shall be deposited in the state treasury and credited to the state general fund.

(e) The state board shall adopt rules and regulations for administration of the

provisions of this section and shall determine the qualification of persons as dependents and spouses of public safety officers or United States military personnel and the eligibility of such persons for the benefits provided for under this section.";

Also on page 3, in line 21, before "K.S.A" by inserting "K.S.A. 74-3284, 74-3285, 74-3286, 74-3287, 74-3288, 74-3289, 74-3292, 74-3293, 74-3294, 74-3295, 74-3296, 74-3297, 74-3298 and 74-3299 and"; also in line 21, after "Supp." by inserting "72-5170,"; also in line 21, by striking "is" and inserting "and 75-4364 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "postsecondary"; also in line 1, by striking all after the semicolon; in line 2, by striking "program" and inserting "making and concerning appropriations for the fiscal year ending June 30, 2025, for the state board of regents; establishing the Kansas blueprint for literacy and the literacy advisory committee; directing the state board of regents to appoint a director of literacy education and develop a comprehensive assessment system; requiring the state board of regents and the state board of education to collaborate on a literacy micro-credential and professional development; providing university presidents and deans of education oversight over postsecondary literacy courses; requiring a plan to establish centers of excellence in reading; requiring the state board of education to submit annual reports to the legislature on certain statistics of students who take the statewide assessments; establishing the Kansas education opportunity scholarship program to replace the Kansas ethnic minority scholarship program; removing limits on Kansas nursing service scholarship awards and modifying the interest rate terms and repayment obligations for such awards; abolishing the nursing service scholarship review committee"; in line 3, after "payment" by inserting "for the AO-K program; modifying financial limitations on Kansas hero's scholarship awards and broadening eligibility requirements for such awards"; also in line 3, after "amending" by inserting "K.S.A. 74-3284, 74-3285, 74-3286, 74-3287, 74-3288, 74-3289, 74-3292, 74-3293, 74-3294, 74-3295, 74-3296, 74-3297 and 74-3298 and"; also in line 3, after "Supp." by inserting "72-5170,"; also in line 3, after "74-32,267" by inserting "and 75-4364"; in line 4, by striking "section" and inserting "sections; also repealing K.S.A. 74-3299";

Also on page 1, following line 4, by inserting:

"WHEREAS, Kansas is experiencing unprecedented economic growth. By the year 2030, Kansas will add 54,000 new jobs, 80% of which will require a bachelor's degree or higher. At the same time, the state is at a crucial moment when a comprehensive approach to equipping Kansas educators with training in the science of reading, structured literacy and literacy screening and assessment tools is essential; and

WHEREAS, It is imperative that we leverage our strengths and ensure that we lead the nation in producing highly literate talent to lead our communities and state forward; and

WHEREAS, Making literacy a priority is without a doubt one of the most important and impactful investments that we can make to help families, support businesses and continue to advance economic prosperity for all Kansans.

Now, therefore:";

And your committee on conference recommends the adoption of this report.

ADAM THOMAS

SUSAN ESTES

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **SB 438**.

On roll call, the vote was: Yeas 34; Nays 3; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Straub, Sykes, Ware, Warren, Wilborn.

Nays: Steffen, Thompson, Tyson.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 458** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 7, by striking all in lines 13 through 15; in line 18, before "It" by inserting "(1) A state or local law enforcement agency may request federal adoption of a seizure pursuant to this act or otherwise transfer or refer seized property to a federal agency only if:

(A) The seizure by the agency occurs pursuant to a joint task force with federal law enforcement authorities;

(B) the seizure by the agency occurs pursuant to a joint investigation with federal law enforcement authorities as part of an ongoing federal investigation;

(C) the agency makes such request in conjunction with a request for federal law enforcement authorities to adopt the criminal investigation relating to the seizure;

(D) the property seized by the agency is subsequently seized pursuant to a federal seizure warrant, obtained from a federal court to take custody of assets originally seized under state law;

(E) the property seized by the agency directly relates to a serious public safety concern; or

(F) the gross estimated value of the property seized by the agency is \$25,000 or more.

(2) Subject to the requirements of paragraph (1),"

On page 20, in line 24, by striking the first comma and inserting "or"; also in line 24, by striking "or federal"; in line 28, before "destroy" by inserting "transfer the custody or ownership to any federal agency if authorized pursuant to K.S.A. 60-4107, and amendments thereto;

(3)";

And by redesignating subsections, paragraphs, subparagraphs and clauses

accordingly;

On page 27, following line 5, by inserting:

"Sec. 10. K.S.A. 2023 Supp. 60-4127 is hereby amended to read as follows: 60-4127. (a) ~~On or before July 1, 2019,~~ The Kansas bureau of investigation shall establish the Kansas asset seizure and forfeiture repository. The repository shall gather information concerning each seizure for forfeiture made by a seizing agency pursuant to the Kansas standard asset seizure and forfeiture act including, but not limited to, the following:

(1) The name of the seizing agency or the name of the lead agency if part of a multi-jurisdictional task force;

(2) the county where the seizure occurred;

(3) the date and time the seizure occurred;

(4) any applicable agency or district court case numbers for the seizure;

(5) a description of the initiating law enforcement activity leading to the seizure;

(6) a description of the specific location where the seizure occurred;

(7) the conduct or offense giving rise to the forfeiture;

(8) a description of the type of property seized and the estimated value;

(9) a description of the type of contraband seized and the estimated value;

(10) whether criminal charges were filed for an offense related to the forfeiture and, if so, court and case number information for the criminal charges;

(11) a description of the final disposition of the forfeiture action, including a description of the disposition of any claim or exemption asserted under this act;

(12) whether the forfeiture was transferred to the federal government for disposition;

(13) the total cost of the forfeiture action, including attorney fees; and

(14) the total amount of proceeds from the forfeiture action, specifying the amount received by the seizing agency and the amount received by any other agency or person.

(b) ~~On and after July 1, 2019,~~ The Kansas bureau of investigation shall maintain the repository and an associated public website. ~~On or before July 1, 2019,~~ The Kansas bureau of investigation shall promulgate rules and regulations to implement this section.

(c) ~~On and after July 1, 2019,~~ Each seizing agency shall report information concerning each seizure for forfeiture to the Kansas asset seizure and forfeiture repository as required by this section and the rules and regulations promulgated pursuant to this section. The prosecuting attorney shall submit information concerning each forfeiture action to the seizing agency within 30 days after the final disposition of the forfeiture. The seizing agency shall submit the required information to the repository within 60 days after the final disposition of the forfeiture.

(d) ~~On or before February 1, 2020, and~~ Annually, on or before February 1 ~~thereafter,~~ each law enforcement agency shall compile and submit a forfeiture fund financial report to the Kansas asset seizure and forfeiture repository as required by this section and the rules and regulations promulgated pursuant to this section.

(1) If the law enforcement agency is a state agency, the report shall include, but not be limited to:

(A) The agency's state forfeiture fund balance on January 1 and December 31 of the preceding calendar year; and

(B) the total amount of the deposits and a listing, by category, of expenditures from January 1 through December 31 of the preceding calendar year.

(2) If the law enforcement agency is a city or county agency, the report shall include, but not be limited to:

(A) The agency's special law enforcement trust fund balance on January 1 and December 31 of the preceding calendar year; and

(B) the total amount of the deposits and a listing, by category, of expenditures from January 1 through December 31 of the preceding calendar year.

(3) The report shall separate and account for:

(A) Deposits and expenditures from proceeds from forfeiture credited to the fund pursuant to K.S.A. 60-4117, and amendments thereto;

(B) deposits and expenditures from proceeds from forfeiture actions under federal law; and

(C) amounts held by the agency related to pending forfeiture actions under the Kansas standard asset seizure and forfeiture act.

(e) ~~(1) On March 1, 2020, and~~ Annually, on March 1 ~~thereafter~~, the Kansas bureau of investigation shall determine whether each agency's forfeiture fund financial report matches the agency's seizing report. If the Kansas bureau of investigation determines that an agency's financial report does not substantially match that agency's seizing report or the agency has not submitted a financial report, the Kansas bureau of investigation shall notify such agency of the difference in reports. Such agency shall correct the reporting error within 30 days. If the reporting error is not corrected within 30 days, the Kansas bureau of investigation shall send such law enforcement agency, and the county or district attorney for the county in which such law enforcement agency is located, a certified letter notifying such agency that it is out of compliance. Upon receipt of such letter, no forfeiture proceedings shall be filed on property seized by such law enforcement agency. When such law enforcement agency has achieved compliance with the reporting requirements, the bureau shall send such law enforcement agency, and the county or district attorney for the county in which such law enforcement agency is located, a certified letter notifying such agency that it is in compliance and forfeiture proceeding filings may continue pursuant to this act.

(2) Annually, on or before April 15, the Kansas bureau of investigation shall report to the ~~legislature~~ president of the senate, the speaker of the house of representatives and the standing committees on judiciary in the senate and the house of representatives:

(A) Any law enforcement agencies in the state that have failed to come into compliance with the reporting requirements in subsection (d); and

(B) each agency's forfeiture fund financial report submitted pursuant to subsection (d).";

Also on page 27, in line 7, by striking "and" and inserting a comma; in line 8, before "are" by inserting "and 60-4127";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "providing limitations on state and local law enforcement agency requests for federal adoption of a seizure under the act;"; in line 12, before "amending" by inserting "requiring the Kansas bureau of investigation to submit forfeiture fund financial reports to the legislature;"; in line 14, by striking the first "and" and inserting a comma; also in line 14, before the second "and" by inserting "and 60-4127";

And your committee on conference recommends the adoption of this report.

SUSAN HUMPHRIES
BOB LEWIS
DAN OSMAN

Conferees on part of House

KELLIE WARREN
RICK WILBORN
ETHAN CORSON

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 458**.

On roll call, the vote was: Yeas 35; Nays 0; Present and Passing 0; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Claeys, Doll, McGinn, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2036** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

CARYN TYSON
VIRGIL PECK

Conferees on part of Senate

ADAM SMITH
BRIAN BERGKAMP
TOM SAWYER

Conferees on part of House

On motion of Senator Tyson the Senate adopted the conference committee report on **S Sub HB 2036**, and requested a new conference be appointed.

The President appointed Senators Tyson, Peck and Holland as a third Conference Committee on the part of the Senate on **S Sub HB 2036**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2036** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2036, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 20; following line 20, by inserting:

"New Section 1. On July 1, 2024, the director of accounts and reports shall transfer all moneys in the local ad valorem tax reduction fund to the state general fund. On July 1, 2024, all liabilities of the local ad valorem tax reduction fund are hereby transferred to and imposed on the state general fund, and the local ad valorem tax reduction fund is hereby abolished.

New Sec. 2. On July 1, 2024, the director of accounts and reports shall transfer all moneys in the county and city revenue sharing fund to the state general fund. On July 1, 2024, all liabilities of the county and city revenue sharing fund are hereby transferred to and imposed on the state general fund, and the county and city revenue sharing fund is hereby abolished.

New Sec. 3. On August 15, 2024, and each August 15 thereafter, the director of the budget, in consultation with the director of property valuation, shall certify to the director of accounts and reports if the tax levied pursuant to K.S.A. 72-5142, and amendments thereto, is decreased from 20 mills or the exemption provided by K.S.A. 79-201x, and amendments thereto, is increased from \$42,049 for any tax year. The director of the budget shall certify to the director of accounts and reports and shall transfer a copy of such certification to the director of legislative research, the amount of revenue that the decrease in property tax would have generated for the tax year if such tax was levied pursuant to K.S.A. 72-5142, and amendments thereto, at the rate of 20 mills and the difference in the amount of revenue that the increase in the exemption provided by K.S.A. 79-201x, and amendments thereto, would have generated for the tax year if the exemption amount was \$42,049. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer such certified amount from the state general fund to the state school district finance fund of the department of education.

Sec. 4. On and after July 1, 2024, K.S.A. 65-163j is hereby amended to read as follows: 65-163j. (a) The dedicated source of revenue for repayment of a loan to a municipality may include service charges, connection fees, special assessments, property taxes, grants or any other source of revenue lawfully available to the municipality for such purpose. In order to ensure repayment by municipalities of the amounts of loans provided under this act, the secretary, after consultation with the governing body of any municipality ~~which that~~ receives a loan, may adopt charges to be levied against individuals and entities served by the project. Any such charges shall remain in effect until the total amount of the loan, and any interest thereon, has been repaid. The charges shall, insofar as is practicable, be equitably assessed and may be in the form of a surcharge to the existing charges of the municipality. The governing body of any municipality ~~which that~~ receives a loan under this act shall collect any charges established by the secretary and shall pay the moneys collected therefrom to the secretary in accordance with procedures established by the secretary.

~~(b) Upon the failure of a municipality to meet the repayment terms and conditions of the agreement, the secretary may order the treasurer of the county in which the municipality is located to pay to the secretary such portion of the municipality's share of the local ad valorem tax reduction fund as may be necessary to meet the terms of the agreement, notwithstanding the provisions of K.S.A. 79-2960 and 79-2961, and amendments thereto. Upon the issuance of such an order, the municipality shall not be~~

~~required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961, and amendments thereto.~~

~~(e)~~ Municipalities ~~which that~~ are provided with loans under this act shall maintain project accounts in accordance with generally accepted government accounting standards.

~~(d)(c)~~ Any loans received by a municipality under the provisions of this act shall be construed to be bonds for the purposes of K.S.A. 10-1116 and 79-5028, and amendments thereto, and the amount of such loans shall not be included within any limitation on the bonded indebtedness of the municipality.

Sec. 5. On and after July 1, 2024, K.S.A. 65-3306 is hereby amended to read as follows: 65-3306. The secretary's annual request for appropriations to the water pollution control account shall be based on an estimate of the fiscal needs for the ensuing budget year, less any amounts received by the secretary from any public or private grants or contributions and moneys in such account shall be used solely for the purposes provided for by this act. Moneys allocated to a municipality shall be encumbered as an expenditure of this account upon the formal letting of a contract for the improvement notwithstanding the date ~~on which when~~ actual payment is made of the state financial assistance. Any municipality may contribute moneys to the state water pollution control account. If there are no uncommitted or unencumbered moneys in the water pollution control account, any municipality applying for any water pollution control project as defined in K.S.A. 65-3302, ~~and amendments thereto~~, shall as a condition of such application certify in writing to the secretary that a contribution in the amount of ~~twenty-five percent (25%)~~ of the eligible cost of such project will be made to the water pollution control account by such municipality prior to formal letting of a construction contract. Upon receipt by the secretary, each such contribution shall be retained in a subaccount of the water pollution control account for use solely in the project for which the municipality has made application.

~~Notwithstanding the provisions of K.S.A. 79-2960 and 79-2961, any municipality applying for such a water pollution control project may make such contribution from all or such part of its share of the local ad valorem tax reduction fund as may be necessary for such purpose, and to the extent such fund is pledged and used for such purpose the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961. Taxes levied by any municipality by reason of its failure to make such reduction in its levies shall not be subject to or be considered in computing the aggregate limitation upon the levy of taxes by such municipality under the provisions of K.S.A. 79-5003.~~

Sec. 6. On and after July 1, 2024, K.S.A. 65-3327 is hereby amended to read as follows: 65-3327. (a) The dedicated source of revenue for repayment of the loans may include service charges, connection fees, special assessments, property taxes, grants or any other source of revenue lawfully available to the municipality for such purpose. In order to ensure repayment by municipalities of the amounts of loans provided under K.S.A. 65-3321 through 65-3329, and amendments thereto, the secretary, after consultation with the governing body of any municipality which receives a loan, may adopt charges to be levied against users of the project. Any such charges shall remain in effect until the total amount of the loan, and any interest thereon, has been repaid. The charges shall, insofar as is practicable, be equitably assessed and may be in the form of a surcharge to the existing charges of the municipality. The governing body of any

municipality which receives a loan under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall collect any charges established by the secretary and shall pay the moneys collected therefrom to the secretary in accordance with procedures established by the secretary.

~~(b) Upon the failure of a municipality to meet the repayment terms and conditions of the agreement, the secretary may order the treasurer of the county in which the municipality is located to pay to the secretary such portion of the municipality's share of the local ad valorem tax reduction fund as may be necessary to meet the terms of the agreement, notwithstanding the provisions of K.S.A. 79-2960 and 79-2961 and amendments thereto. Upon the issuance of such an order, the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961 and amendments thereto.~~

~~(e)~~ Municipalities ~~which that~~ are provided with loans under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall maintain project accounts in accordance with generally accepted government accounting standards.

~~(d)(c)~~ Municipalities ~~which that~~ receive a grant and an allowance under the federal act with respect to project costs for which a loan was provided under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall promptly repay such loan to the extent of the allowance received under the federal act.

~~(e)(d)~~ Any loans received by a municipality under the provisions of K.S.A. 65-3321 through 65-3329, and amendments thereto, shall be construed to be bonds for the purposes of K.S.A. 10-1116 and 79-5028, and amendments thereto, and the amount of such loans shall not be included within any limitation on the bonded indebtedness of the municipality.

Sec. 7. On and after July 1, 2024, K.S.A. 2023 Supp. 72-5142 is hereby amended to read as follows: 72-5142. (a) The board of education of each school district shall levy an ad valorem tax upon the taxable tangible property of the school district in the school years specified in subsection (b) for the purpose of:

(1) Financing that portion of the school district's general fund budget that is not financing from any other source provided by law;

(2) paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state; and

(3) with respect to any redevelopment school district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district.

(b) The tax required under subsection (a) shall be levied at a rate of ~~20~~ 19.5 mills in the school years ~~2023-2024 and 2024-2025~~ and 2025-2026.

(c) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose described in subsection (a)(3), shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(d) No school district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b,

and amendments thereto.

Sec. 8. On and after July 1, 2024, K.S.A. 2023 Supp. 74-8768 is hereby amended to read as follows: 74-8768. (a) There is hereby created the expanded lottery act revenues fund in the state treasury. All expenditures and transfers from such fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be expended or transferred only for the purposes of reduction of state debt, state infrastructure improvements, the university engineering initiative act, ~~reduction of local ad valorem tax in the same manner as provided for allocation of amounts in the local ad valorem tax reduction fund~~ and reduction of the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, by the Kansas public employees retirement system.

(b) On July 1, 2021, July 1, 2022, July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, July 1, 2027, July 1, 2028, July 1, 2029, July 1, 2030, and July 1, 2031, or as soon thereafter such date as moneys are available, the first \$10,500,000 credited to the expanded lottery act revenues fund shall be transferred by the director of accounts and reports from the expanded lottery act revenues fund in one or more substantially equal amounts, to each of the following: The Kan-grow engineering fund – KU, Kan-grow engineering fund – KSU and Kan-grow engineering fund – WSU. Each such special revenue fund shall receive \$3,500,000 annually in each of such years. Commencing in fiscal year 2014, after such transfer has been made, 50% of the remaining moneys credited to the fund shall be transferred on a quarterly basis by the director of accounts and reports from the fund to the Kansas public employees retirement system fund to be applied to reduce the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931 et seq., and amendments thereto, until the system as a whole attains an 80% funding ratio as certified by the board of trustees of the Kansas public employees retirement system.

Sec. 9. On and after July 1, 2024, K.S.A. 75-2556 is hereby amended to read as follows: 75-2556. (a) The state librarian shall determine the amount of the grant-in-aid each eligible local public library is to receive based on the latest population census figures as certified by the division of the budget.

(b) Except as provided by subsection (d), no local public library shall be eligible for any state grants-in-aid if the total amount of the following paragraphs is less than the total amount produced from such sources for the same library for the previous year, based on the information contained in the official annual budgets of municipalities that are filed with the division of accounts and reports in accordance with K.S.A. 79-2930, and amendments thereto:

(1) The amount produced by the local ad valorem tax levies for the current year expenses for such library;

~~(2) the amount of moneys received from the local ad valorem tax reduction fund for current year expenses for such library;~~

~~(3) the amount of moneys received from taxes levied upon motor vehicles under the provisions of K.S.A. 79-5101 et seq., and amendments thereto, for current year expenses for such library; and~~

~~(4) the amount of moneys received in the current year from collections of unpaid local ad valorem tax levies for prior year expenses for such library.~~

(c) Local public library districts in which the assessed valuation decreases shall remain eligible for state grants-in-aid so long as the ad valorem tax mill rate for the

support of such library has not been reduced below the mill rate imposed for such purpose for the previous year.

(d) If a local public library fails to qualify for eligibility for any state grants-in-aid under subsection (b), the state librarian shall have the power to continue the eligibility of a local public library for any state grants-in-aid if the state librarian, after evaluation of all the circumstances, determines that the legislative intent for maintenance of local tax levy support for the on-going operations of the library is being met by the library district.

(e) The distribution so determined shall be apportioned and paid on February 15 of each year.

Sec. 10. On and after July 1, 2024, K.S.A. 2023 Supp. 79-201x is hereby amended to read as follows: 79-201x. ~~(a)~~ For taxable year ~~2022~~ 2024, and all taxable years thereafter, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-5142, and amendments thereto: Property used for residential purposes to the extent of ~~\$40,000~~ \$100,000 of its appraised valuation.

~~(b)~~ For taxable year ~~2023~~, and all taxable years thereafter, the dollar amount of the extent of appraised valuation that is exempt pursuant to subsection ~~(a)~~ shall be adjusted to reflect the average percentage change in statewide residential valuation of all residential real property for the preceding 10 years. Such average percentage change shall not be less than zero. The director of property valuation shall calculate the average percentage change for purposes of this annual adjustment and calculate the dollar amount of the extent of appraised valuation that is exempt pursuant to this section each year.

Sec. 11. On and after July 1, 2024, K.S.A. 79-1107 is hereby amended to read as follows: 79-1107. ~~(a)~~ Every national banking association and state bank located or doing business within the state shall pay to the state for the privilege of doing business within the state a tax according to or measured by its net income for the next preceding taxable year to be computed as provided in this act. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

~~(a)(1)~~ For tax year 2024, and all tax years thereafter, the normal tax shall be an amount equal to ~~2⁺/₄%~~ 1.94% of such net income; and

~~(b)(2)~~ the surtax shall be an amount equal to ~~2⁺/₈%~~ 2.125% of such net income in excess of \$25,000.

~~(b)~~ The tax levied shall be in lieu of ad valorem taxes which might otherwise be imposed by the state or political subdivisions thereof upon shares of capital stock or the intangible assets of national banking associations and state banks.

Sec. 12. On and after July 1, 2024, K.S.A. 79-1108 is hereby amended to read as follows: 79-1108. ~~(a)~~ Every trust company and savings and loan association located or doing business within the state shall pay to the state for the privilege of doing business within the state a tax according to or measured by its net income for the next preceding taxable year to be computed as provided in this act. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

~~(a)(1)~~ For tax year 2024, and all tax years thereafter, the normal tax on every trust company and savings and loan association shall be an amount equal to ~~2⁺/₄%~~ 1.93% of such net income; and

~~(b)(2)~~ the surtax on every trust company and savings and loan association shall be

an amount equal to ~~2¹/₄%~~ 2.25% of such net income in excess of \$25,000.

(b) The tax levied shall be in lieu of ad valorem taxes which might otherwise be imposed by the state or political subdivision thereof upon shares of capital stock or other intangible assets of trust companies and savings and loan associations.

Sec. 13. On and after July 1, 2024, K.S.A. 79-1479 is hereby amended to read as follows: 79-1479. (a) On or before January 15, 1992, and quarterly thereafter, the county or district appraiser shall submit to the director of property valuation a progress report indicating actions taken during the preceding quarter calendar year to implement the appraisal of property in the county or district. Whenever the director of property valuation shall determine that any county has failed, neglected or refused to properly provide for the appraisal of property or the updating of the appraisals on an annual basis in substantial compliance with the provisions of law and the guidelines and timetables prescribed by the director, the director shall file with the state board of tax appeals a complaint stating the facts upon which the director has made the determination of noncompliance as provided by K.S.A. 79-1413a, and amendments thereto. If, as a result of such proceeding, the state board of tax appeals finds that the county is not in substantial compliance with the provisions of law and the guidelines and timetables of the director of property valuation providing for the appraisal of all property in the county or the updating of the appraisals on an annual basis, it shall order the immediate assumption of the duties of the office of county appraiser by the director of the division of property valuation until such time as the director of property valuation determines that the county is in substantial compliance with the provisions of law. ~~In addition, the board shall order the state treasurer to withhold all or a portion of the county's entitlement to moneys from either or both of the local ad valorem tax reduction fund and the city and county revenue sharing fund for the year following the year in which the order is issued.~~ Upon service of any such order on the board of county commissioners, the appraiser shall immediately deliver to the director of property valuation, or the director's designee, all books, records and papers pertaining to the appraiser's office.

Any county for which the director of the division of property valuation is ordered by the state board of tax appeals to assume the responsibility and duties of the office of county appraiser shall reimburse the state for the actual costs incurred by the director of the division of property valuation in the assumption and carrying out of such responsibility and duties, including any contracting costs in the event it is necessary for the director of property valuation to contract with private appraisal firms to carry out such responsibilities and duties.

(b) On or before June 1 of each year, the director of property valuation shall review the appraisal of property in each county or district to determine if property within the county or district is being appraised or valued in accordance with the requirements of law. If the director determines the property in any county or district is not being appraised in accordance with the requirements of law, the director of property valuation shall notify the county or district appraiser and the board of county commissioners of any county or counties affected that the county has 30 days within which to submit to the director a plan for bringing the appraisal of property within the county into compliance.

If a plan is submitted and approved by the director the county or district shall proceed to implement the plan as submitted. The director shall continue to monitor the program

to insure that the plan is implemented as submitted. If no plan is submitted or if the director does not approve the plan, the director shall petition the state board of tax appeals for a review of the plan or, if no plan is submitted, for authority for the division of property valuation to assume control of the appraisal program of the county and to proceed to bring the same into compliance with the requirements of law.

If the state board of tax appeals approves the plan, the county or district appraiser shall proceed to implement the plan as submitted. If no plan has been submitted or the plan submitted is not approved, the board shall fix a time within which the county may submit a plan or an amended plan for approval. If no plan is submitted and approved within the time prescribed by the board, the board shall order the division of property valuation to assume control of the appraisal program of the county ~~and shall certify its order to the state treasurer who shall withhold distributions of the county's share of moneys from the county and city revenue sharing fund and the local ad valorem tax reduction fund and credit the same to the general fund of the state for the year following the year in which the board's order is made.~~ The director of property valuation shall certify the amount of the cost incurred by the division in bringing the program in compliance to the state board of tax appeals. The board shall order the county commissioners to reimburse the state for such costs.

(c) The state board of tax appeals shall within 60 days after the publication of the Kansas assessment/sales ratio study review such publication to determine county compliance with K.S.A. 79-1439, and amendments thereto. If in the determination of the board one or more counties are not in substantial compliance and the director of property valuation has not acted under subsection (b), the board shall order the director of property valuation to take such corrective action as is necessary or to show cause for noncompliance.

Sec. 14. On and after July 1, 2024, K.S.A. 2023 Supp. 79-2988 is hereby amended to read as follows: 79-2988. (a) On or before June 15 each year, the county clerk shall calculate the revenue neutral rate for each taxing subdivision and include such revenue neutral rate on the notice of the estimated assessed valuation provided to each taxing subdivision for budget purposes. The director of accounts and reports shall modify the prescribed budget information form to show the revenue neutral rate.

(b) No tax rate in excess of the revenue neutral rate shall be levied by the governing body of any taxing subdivision unless a resolution or ordinance has been approved by the governing body according to the following procedure:

(1) At least 10 days in advance of the public hearing, the governing body shall publish notice of its proposed intent to exceed the revenue neutral rate by publishing notice:

(A) On the website of the governing body, if the governing body maintains a website; and

(B) in a weekly or daily newspaper of the county having a general circulation therein. The notice shall include, but not be limited to, its proposed tax rate, its revenue neutral rate and the date, time and location of the public hearing.

(2) On or before July 20, the governing body shall notify the county clerk of its proposed intent to exceed the revenue neutral rate and provide the date, time and location of the public hearing and its proposed tax rate. For all tax years commencing after December 31, 2021, the county clerk shall notify each taxpayer with property in the taxing subdivision, by mail directed to the taxpayer's last known address, of the

proposed intent to exceed the revenue neutral rate at least 10 days in advance of the public hearing. Alternatively, the county clerk may transmit the notice to the taxpayer by electronic means at least 10 days in advance of the public hearing, if such taxpayer and county clerk have consented in writing to service by electronic means. The county clerk shall consolidate the required information for all taxing subdivisions relevant to the taxpayer's property on one notice. The notice shall be in a format prescribed by the director of accounts and reports. The notice shall include, but not be limited to:

(A) The revenue neutral rate of each taxing subdivision relevant to the taxpayer's property;

(B) the proposed property tax revenue needed to fund the proposed budget of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(C) the proposed tax rate based upon the proposed budget and the current year's total assessed valuation of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(D) the percentage by which the proposed tax rate exceeds the revenue neutral rate;

(E) the tax rate and property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement;

(F) the appraised value and assessed value of the taxpayer's property for the current year;

(G) the estimates of the tax for the current tax year on the taxpayer's property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates;

(H) the difference between the estimates of tax based on the proposed tax rate and the revenue neutral rate on the taxpayer's property described in subparagraph (G) for any taxing subdivision that has a proposed tax rate that exceeds its revenue neutral rate; and

(I) the date, time and location of the public hearing of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate.

Although the state of Kansas is not a taxing subdivision for purposes of this section, the notice shall include a statement of the statutory mill levies imposed by the state and the estimate of the tax for the current year on the taxpayer's property based on such levies.

(3) The public hearing to consider exceeding the revenue neutral rate shall be held not sooner than August 20 and not later than September 20. The governing body shall provide interested taxpayers desiring to be heard an opportunity to present oral testimony within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment. The public hearing may be conducted in conjunction with the proposed budget hearing pursuant to K.S.A. 79-2929, and amendments thereto, if the governing body otherwise complies with all requirements of this section. Nothing in this section shall be construed to prohibit additional public hearings that provide additional opportunities to present testimony or public comment prior to the public hearing required by this section.

(4) A majority vote of the governing body, by the adoption of a resolution or ordinance to approve exceeding the revenue neutral rate, shall be required prior to adoption of a proposed budget that will result in a tax rate in excess of the revenue

neutral rate. Such vote of the governing body shall be conducted at the public hearing after the governing body has heard from interested taxpayers and shall be a roll call vote. If the governing body approves exceeding the revenue neutral rate, the governing body shall not adopt a budget that results in a tax rate in excess of its proposed tax rate as stated in the notice provided pursuant to this section. A copy of the resolution or ordinance to approve exceeding the revenue neutral rate and a certified copy of any roll call vote reporting, at a minimum, the name and vote of each member of the governing body related to exceeding the revenue neutral rate, whether approved or not, shall be included with the adopted budget, budget certificate and other budget forms filed with the county clerk and the director of accounts and reports and shall be published on the website of the department of administration.

(c) (1) Any governing body subject to the provisions of this section that does not comply with subsection (b) shall refund to taxpayers any property taxes over-collected based on the amount of the levy that was in excess of the revenue neutral rate.

(2) Any taxpayer of the taxing subdivision that is the subject of the complaint or such taxpayer's duly authorized representative may file a complaint with the state board of tax appeals by filing a written complaint, on a form prescribed by the board, that contains the facts that the complaining party believes show that a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and that a reduction or refund of taxes is appropriate. The complaining party shall provide a copy of such complaint to the governing body of the taxing subdivision making the levy that is the subject of the complaint. Notwithstanding K.S.A. 74-2438a, and amendments thereto, no filing fee shall be charged by the executive director of the state board of tax appeals for a complaint filed pursuant to this paragraph. The governing body of the taxing subdivision making the levy that is the subject of the complaint shall be a party to the proceeding. Notice of any summary proceeding or hearing shall be served upon such governing body, the county clerk, the director of accounts and reports and the complaining party. It shall be the duty of the governing body to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity of such levy. If upon a summary proceeding or hearing, it shall be made to appear to the satisfaction of the board that the governing body of the taxing subdivision did not comply with subsection (b), the state board of tax appeals shall order such governing body to refund to taxpayers the amount of property taxes over collected or reduce the taxes levied, if uncollected. The provisions of this paragraph shall not be construed as prohibiting any other remedies available under the law.

(d) On and after January 1, 2022, in the event that the ~~20-mills tax~~ levied by a school district pursuant to K.S.A. 72-5142, and amendments thereto, increases the property tax revenue generated for the purpose of calculating the revenue neutral rate from the previous tax year and such amount of increase in revenue generated from ~~the 20-mills such tax levied~~ is the only reason ~~that~~ the school district would exceed the total property tax revenue from the prior year, the school district shall be deemed to not have exceeded the revenue neutral rate in levying a tax rate in excess of the revenue neutral rate to take into account the increase in revenue from ~~only the 20-mills such tax levied~~.

(e) (1) Notwithstanding any other provision of law to the contrary, if the governing body of a taxing subdivision must conduct a public hearing to approve exceeding the revenue neutral rate under this section, the governing body of the taxing subdivision shall certify, on or before October 1, to the proper county clerk the amount of ad

valorem tax to be levied.

(2) If a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and certifies to the county clerk an amount of ad valorem tax to be levied that would result in a tax rate in excess of its revenue neutral rate, the county clerk shall reduce the ad valorem tax to be levied to the amount resulting from such taxing subdivision's revenue neutral rate.

(f) As used in this section:

(1) "Taxing subdivision" means any political subdivision of the state that levies an ad valorem tax on property.

(2) "Revenue neutral rate" means the tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year's total assessed valuation. To calculate the revenue neutral rate, the county clerk shall divide the property tax revenue for such taxing subdivision levied for the previous tax year by the total of all taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply the quotient by 1,000 to express the rate in mills. The revenue neutral rate shall be expressed to the third decimal place.

(g) In the event that a county clerk incurred costs of printing and postage that were not reimbursed pursuant to K.S.A. 2023 Supp. 79-2989, and amendments thereto, such county clerk may seek reimbursement from all taxing subdivisions required to send the notice. Such costs shall be shared proportionately by all taxing subdivisions that were included on the same notice based on the total property tax levied by each taxing subdivision. Payment of such costs shall be due to the county clerk by December 31.

(h) The department of administration or the director of accounts and reports shall make copies of adopted budgets, budget certificates, other budget documents and revenue neutral rate documents available to the public on the department of administration's website on a permanently accessible web page that may be accessed via a conspicuous link to that web page placed on the front page of the department's website. The department of administration or the director of accounts and reports shall also make the following information for each tax year available on such website:

(1) A list of taxing subdivisions by county;

(2) whether each taxing subdivision conducted a hearing to consider exceeding its revenue neutral rate;

(3) the revenue neutral rate of each taxing subdivision;

(4) the tax rate resulting from the adopted budget of each taxing subdivision; and

(5) the percent change between the revenue neutral rate and the tax rate for each taxing subdivision.

Sec. 15. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns*.

(A) ~~For tax year 2012:~~

If the taxable income is:	The tax is:
Not over \$30,000	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000	\$1,050 plus 6.25% of excess
	over \$30,000

Over \$60,000 ————— \$2,925 plus 6.45% of excess
 over \$60,000

(B) For tax year 2013:

If the taxable income is: ————— The tax is:
 Not over \$30,000 ————— 3.0% of Kansas taxable income
 Over \$30,000 ————— \$900 plus 4.9% of excess over
 \$30,000

(C) For tax year 2014:

If the taxable income is: ————— The tax is:
 Not over \$30,000 ————— 2.7% of Kansas taxable income
 Over \$30,000 ————— \$810 plus 4.8% of excess over
 \$30,000

(D) For tax years 2015 and 2016:

If the taxable income is: ————— The tax is:
 Not over \$30,000 ————— 2.7% of Kansas taxable income
 Over \$30,000 ————— \$810 plus 4.6% of excess over
 \$30,000

(E) For tax year 2017:

If the taxable income is: ————— The tax is:
 Not over \$30,000 ————— 2.9% of Kansas taxable income
 Over \$30,000 but not over \$60,000 ————— \$870 plus 4.9% of excess over
 \$30,000
 Over \$60,000 ————— \$2,340 plus 5.2% of excess over
 \$60,000

~~(F) For tax year years 2018, and all tax years thereafter through 2023:~~

If the taxable income is: ————— The tax is:
 Not over \$30,000.....3.1% of Kansas taxable income
 Over \$30,000 but not over \$60,000.....\$930 plus 5.25% of excess
 over \$30,000
 Over \$60,000.....\$2,505 plus 5.7% of excess
 over \$60,000

(B) For tax year 2024, and all tax years thereafter:

If the taxable income is: ————— The tax is:
Not over \$46,000.....5.15% of Kansas taxable income
Over \$46,000.....\$2,369 plus 5.55% of excess
over \$46,000

(2) *All other individuals.*

(A) For tax year 2012:

If the taxable income is: ————— The tax is:
 Not over \$15,000 ————— 3.5% of Kansas taxable income
 Over \$15,000 but not over \$30,000 ————— \$525 plus 6.25% of excess
 over \$15,000
 Over \$30,000 ————— \$1,462.50 plus 6.45% of excess
 over \$30,000

(B) For tax year 2013:

If the taxable income is: ————— The tax is:
 Not over \$15,000 ————— 3.0% of Kansas taxable income

Over \$15,000	\$450 plus 4.9% of excess over \$15,000
<u>(C) For tax year 2014:</u>	
If the taxable income is:	The tax is:
Not over \$15,000	2.7% of Kansas taxable income
Over \$15,000	\$405 plus 4.8% of excess over \$15,000
<u>(D) For tax years 2015 and 2016:</u>	
If the taxable income is:	The tax is:
Not over \$15,000	2.7% of Kansas taxable income
Over \$15,000	\$405 plus 4.6% of excess over \$15,000
<u>(E) For tax year 2017:</u>	
If the taxable income is:	The tax is:
Not over \$15,000	2.9% of Kansas taxable income
Over \$15,000 but not over \$30,000	\$435 plus 4.9% of excess over \$15,000
Over \$30,000	\$1,170 plus 5.2% of excess over \$30,000
<u>(F) For tax year years 2018, and all tax years thereafter through 2023:</u>	
If the taxable income is:	The tax is:
Not over \$15,000	3.1% of Kansas taxable income
Over \$15,000 but not over \$30,000	\$465 plus 5.25% of excess over \$15,000
Over \$30,000	\$1,252.50 plus 5.7% of excess over \$30,000
<u>(B) For tax year 2024, and all tax years thereafter:</u>	
If the taxable income is:	The tax is:
Not over \$23,000	5.15% of Kansas taxable income
Over \$23,000	\$1,184.50 plus 5.55% of excess over \$23,000

(b) *Nonresident individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows unless otherwise modified pursuant to K.S.A. 2023 Supp. 74-50,321, and amendments thereto:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

(e) Notwithstanding the provisions of subsections (a) and (b): ~~(1) For tax years 2016 and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2), for tax-year years 2018, and all tax years thereafter through 2023, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.~~

~~(f) No taxpayer shall be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.~~

Sec. 16. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income

below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and

amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal individual income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(I) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal

income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

~~(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and (A) For all taxable years beginning after December 31, 2007, and ending before January 1, 2024, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.~~

(B) For all taxable years beginning after December 31, 2023, amounts received as benefits under the federal social security act that are included in federal adjusted gross income of a taxpayer.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before

January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global

intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 17. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,119 is hereby amended to read as follows: 79-32,119. (a) The Kansas standard deduction of an individual, including a husband and wife who are either both residents or who file a joint return as if both were residents, shall be equal to the sum of the standard deduction amount allowed pursuant to this section, and the additional standard deduction amount allowed pursuant to this section for each such deduction allowable to such individual or to such husband and wife under the federal internal revenue code.

(b) For tax year 1998, and all tax years thereafter, the additional standard deduction amount shall be as follows: Single individual and head of household filing status, \$850; and married filing status, \$700.

~~(c) (1) For tax year 2013 through tax year 2020, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,000; married filing status, \$7,500; and head of household filing status, \$5,500.~~

~~(2) For tax year years 2021, and all tax years thereafter through 2023, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,500; married filing status, \$8,000; and head of household filing status, \$6,000.~~

(2) For tax year 2024, and all tax years thereafter, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,605; married filing status, \$8,240; and head of household filing status, \$6,180.

(d) For purposes of this section, the federal standard deduction allowable to a husband and wife filing separate Kansas income tax returns shall be determined on the

basis that separate federal returns were filed, and the federal standard deduction of a husband and wife filing a joint Kansas income tax return shall be determined on the basis that a joint federal income tax return was filed.

Sec. 18. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,121 is hereby amended to read as follows: 79-32,121. (a) ~~An individual~~ For tax year 2024, and all tax years thereafter, a taxpayer shall be allowed a Kansas exemption ~~of \$2,250 for each exemption as follows:~~

(1) In the case of married individuals filing a joint return, a personal exemption of \$18,320;

(2) in the case of all other individuals with a filing status of single, head of household or married filing separate, a personal exemption of \$9,160; and

(3) in addition to the amount allowed pursuant to paragraph (1) or (2), a personal exemption of \$2,320 for each dependent for which such ~~individual~~ taxpayer is entitled to a deduction for the taxable year for federal income tax purposes.

(b) In addition to the exemptions provided in subsection (a), any individual who has been honorably discharged from active service in any branch of the armed forces of the United States and who is certified by the United States department of veterans affairs or its successor to be in receipt of disability compensation at the 100% rate, if the disability is permanent and was sustained through military action or accident or resulted from disease contracted while in such active service, such individual shall be allowed an additional Kansas exemption of \$2,250 for tax year 2023 and all tax years thereafter.

Sec. 19. K.S.A. 2023 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.5%. On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project.

Such tax shall be imposed upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any

service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and

amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" means the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" means only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" means a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" means only those enclosures within which individuals customarily live;

(5) "utility structure" means transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission

authority or natural gas or electric public utility; and

(6) "windstorm" means straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section;

(w) all sales of charitable raffle tickets in accordance with K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(x) commencing on January 1, 2023, and thereafter, the state rate on the gross receipts from the sale of food and food ingredients shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

Sec. 20. K.S.A. 2023 Supp. 79-3603d is hereby amended to read as follows: 79-3603d. (a) There is hereby levied and there shall be collected and paid a tax upon the gross receipts from the sale of food and food ingredients. The rate of tax shall be as follows:

(1) Commencing on January 1, 2023, at the rate of 4%;

(2) commencing on January 1, 2024, at the rate of 2%; and

(3) commencing on ~~January 1, 2025~~ July 1, 2024, and thereafter, at the rate of 0%.

(b) The provisions of this section shall not apply to prepared food unless sold without eating utensils provided by the seller and described below:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);

(2) (A) food sold in an unheated state by weight or volume as a single item; or

(B) only meat or seafood sold in an unheated state by weight or volume as a single item;

(3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or

(4) food sold that ordinarily requires additional cooking, as opposed to just

reheating, by the consumer prior to consumption.

(c) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 21. K.S.A. 2023 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the

intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 22. K.S.A. 2023 Supp. 79-3703 is hereby amended to read as follows: 79-3703. (a) There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%.

(b) Commencing on January 1, 2023, and thereafter, the state rate on the amount equal to the consideration paid by the taxpayer from the sale of food and food ingredients as provided in K.S.A. 79-3603, and amendments thereto, shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

(c) On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

(d) Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project.

(e) All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax

had the transaction been wholly within this state.

Sec. 23. K.S.A. 2023 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within

the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 24. K.S.A. 2023 Supp. 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 are hereby repealed.

Sec. 25. On and after July 1, 2024, K.S.A. 19-2694, 65-163j, 65-3306, 65-3327, 75-2556, 79-1107, 79-1108, 79-1479, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 72-5142, 74-8768, 79-201x, 79-2959, 79-2964, 79-2988, 79-32,110, 79-32,117, 79-32,119 and 79-32,121 are hereby repealed.";

Also on page 2, in line 22, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "sales"; also in line 1, by striking all after "to"; by striking all in line 2; in line 3, by striking all before the period and inserting "income tax; modifying tax rates for individuals; eliminating the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction and the Kansas personal exemption; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; decreasing the rate of ad valorem tax imposed by a school district; abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund and providing for certain transfers to the state school district finance fund; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-1107, 79-1108 and 79-1479 and K.S.A. 2023 Supp. 72-5142, 74-8768, 79-201x, 79-2988, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 79-2959 and 79-2964";

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

ADAM SMITH
BRIAN BERGKAMP
TOM SAWYER

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **S Sub HB 2036**.

On roll call, the vote was: Yeas 24; Nays 9; Present and Passing 2; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Peck, Petersen, Pittman, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, Olson, Pettey, Reddi, Sykes, Ware.

Present and Passing: Faust-Goudeau, Haley.

Absent or Not Voting: Claeys, Doll, McGinn, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2096** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 9 through 36; following line 36, by inserting:

"New Section 1. (a) This act shall be known and may be cited as the veterans' valor property tax relief act.

(b) There shall be allowed as a credit against the tax liability of a taxpayer imposed under the Kansas income tax act for tax year 2024, and all tax years thereafter, in an amount equal to 75% of the amount of property and ad valorem taxes actually and timely paid by a taxpayer who has been deemed to be totally disabled, permanently and totally disabled or unemployable pursuant to 38 C.F.R. § 3.340 if such taxes were paid upon real or personal property used for residential purposes of such taxpayer that is the taxpayer's principal place of residence for the tax year in which the tax credit is claimed.

(c) The amount of any such credit for any such taxpayer shall not exceed the amount of property and ad valorem taxes paid by such taxpayer as specified in this section. A taxpayer shall not take the credit pursuant to this section if such taxpayer has received a homestead property tax refund pursuant to K.S.A. 79-4501 et seq., and amendments thereto, or a credit pursuant to the selective assistance for effective senior relief pursuant to K.S.A. 79-32,263, and amendments thereto, for such property for such tax year.

(d) Subject to the provisions of this section, if the amount of such tax credit exceeds the taxpayer's income tax liability for the taxable year, the amount of such excess credit that exceeds such tax liability shall be refunded to the taxpayer.

(e) The secretary of revenue shall adopt rules and regulations regarding the filing of documents that support the amount of the credit claimed pursuant to this section.

(f) The provisions of this act shall be a part of and supplemental to the homestead property tax refund act, except that the income or appraised valuation limits set forth in

the homestead property tax refund act shall not apply to this section.

New Sec. 2. (a) The following described property, to the extent herein specified, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas: For all taxable years commencing after December 31, 2024, all real property and personal property owned and operated by a business in the state of Kansas that is used by the business predominantly for child care center, health club or restaurant purposes and is located within a city where there is at least one facility owned or operated by a governmental entity that competes against the business or within five miles of a facility owned or operated by a governmental entity that competes against the business and such competing facility owned or operated by a governmental entity is exempt from property or ad valorem taxes levied under any laws of the state of Kansas. For businesses that first begin ownership, operation and use of real and personal property for a qualifying purpose after July 1, 2024, the exemption shall only be granted if such competing activity by the governmental entity begins after the business claiming the exemption began using the real and personal property for a qualifying purpose pursuant to this section.

(b) To be eligible for the tax exemption authorized by this section, the business owning and operating the described property herein shall be in compliance with state law, city ordinances and county resolutions and shall be current in the payment of state and local taxes.

(c) For purposes of this section:

(1) "Competes against the business" means offering the same or substantially the same goods or services to the public and receiving any payment for those goods or services at least $\frac{1}{2}$ the number of days per tax year as the business claiming the tax exemption and such facility owned or operated by a governmental entity is predominantly used as a facility for child care center, health club or restaurant purposes. "Competes against the business" does not include providing such goods or services without receiving payment for those goods or services or providing such goods or services predominantly to its own employees or students.

(2) "Facility owned or operated by a governmental entity" means any facility owned or operated by the state of Kansas or any county, city, township, school district, community college, municipal university, public university or any other taxing district or political subdivision of the state that is supported with tax funds. Any facility owned or operated by a governmental entity that is to be funded as a result of an election where voters of the governmental entity are asked to approve the imposition of a tax or other funding for the facility, its operations or the repayment of bonds related to such facility shall include in the description of the ballot proposition that such governmental facility may compete against businesses and cause private business to become exempt from ad valorem property tax.

(3) "Real property and personal property owned and operated by a business" means any real property and personal property where the owner of the property is a business enterprise that operates the business and collects the payment of a fee entitling the buyer to use the facility or sells goods or services to the buyer and such owner of the property and operator of the business enterprise are the same business entity, a parent or subsidiary of the same business entity or have any direct or indirect common ownership.

New Sec. 3. (a) The following described property, to the extent herein specified, is

hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

- (1) Any off-road vehicle that is not operated upon any highway;
 - (2) any motorized bicycle, electric-assisted bicycle, electric-assisted scooter, electric personal assistive mobility device and motorized wheelchair as such terms are defined in K.S.A. 8-126, and amendments thereto;
 - (3) any trailer having a gross weight of 15,000 pounds or less that is used exclusively for personal use and not for the production of income; and
 - (4) any marine equipment.
- (b) For purposes of this section:
- (1) "Marine equipment" means any watercraft trailer designed to launch, retrieve, transport and store watercraft and any watercraft motor designed to operate watercraft on the water;
 - (2) "off-road motorcycle" means any motorcycle as defined in K.S.A. 8-126, and amendments thereto, that has been manufactured for off-road use only and is used exclusively off roads and highways; and
 - (3) "off-road vehicle" means:
 - (A) Any all-terrain vehicle, recreational off-highway vehicle and golf cart as such terms are defined in K.S.A. 8-126, and amendments thereto; and
 - (B) any off-road motorcycle and snowmobile.
 - (c) The provisions of this section shall apply to all taxable years commencing after December 31, 2024.

Sec. 4. K.S.A. 79-213 is hereby amended to read as follows: 79-213. (a) Any property owner requesting an exemption from the payment of ad valorem property taxes assessed, or to be assessed, against their property shall be required to file an initial request for exemption, on forms approved by the state board of tax appeals and provided by the county appraiser.

(b) The initial exemption request shall identify the property for which the exemption is requested and state, in detail, the legal and factual basis for the exemption claimed.

(c) The request for exemption shall be filed with the county appraiser of the county where such property is principally located.

(d) After a review of the exemption request, and after a preliminary examination of the facts as alleged, the county appraiser shall recommend that the exemption request either be granted or denied, and, if necessary, that a hearing be held. If a denial is recommended, a statement of the controlling facts and law relied upon shall be included on the form.

(e) The county appraiser, after making such written recommendation, shall file the request for exemption and the recommendations of the county appraiser with the state board of tax appeals. With regard to a request for exemption from property tax pursuant to the provisions of K.S.A. 79-201g and 82a-409, and amendments thereto, not filed with the board of tax appeals by the county appraiser on or before the effective date of this act, if the county appraiser recommends the exemption request be granted, the exemption shall be provided in the amount recommended by the county appraiser and the county appraiser shall not file the request for exemption and recommendations of the county appraiser with the state board of tax appeals. The county clerk or county assessor shall annually make such adjustment in the taxes levied against the real

property as the owner may be entitled to receive under the provisions of K.S.A. 79-201g, and amendments thereto, as recommended by the county appraiser, beginning with the first period, following the date of issue of the certificate of completion on which taxes are regularly levied, and during the years which the landowner is entitled to such adjustment.

(f) Upon receipt of the request for exemption, the board shall docket the same and notify the applicant and the county appraiser of such fact.

(g) After examination of the request for exemption and the county appraiser's recommendation related thereto, the board may fix a time and place for hearing, and shall notify the applicant and the county appraiser of the time and place so fixed. A request for exemption pursuant to: (1) Section 13 of article 11 of the constitution of the state of Kansas; or (2) K.S.A. 79-201a *Second*, and amendments thereto, for property constructed or purchased, in whole or in part, with the proceeds of revenue bonds under the authority of K.S.A. 12-1740 through 12-1749, and amendments thereto, prepared in accordance with instructions and assistance which shall be provided by the department of commerce, shall be deemed approved unless scheduled for hearing within 30 days after the date of receipt of all required information and data relating to the request for exemption, and such hearing shall be conducted within 90 days after such date. Such time periods shall be determined without regard to any extension or continuance allowed to either party to such request. In any case where a party to such request for exemption requests a hearing thereon, the same shall be granted. Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act. In all instances where the board sets a request for exemption for hearing, the county shall be represented by its county attorney or county counselor.

(h) Except as otherwise provided by subsection (g), in the event of a hearing, the same shall be originally set not later than 90 days after the filing of the request for exemption with the board.

(i) During the pendency of a request for exemption, no person, firm, unincorporated association, company or corporation charged with real estate or personal property taxes pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, on the tax books in the hands of the county treasurer shall be required to pay the tax from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon and the same becomes a final order. In the event that taxes have been assessed against the subject property, no interest shall accrue on any unpaid tax for the year or years in question nor shall the unpaid tax be considered delinquent from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon. In the event the board determines an application for exemption is without merit and filed in bad faith to delay the due date of the tax, the tax shall be considered delinquent as of the date the tax would have been due pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, and interest shall accrue as prescribed therein.

(j) In the event the board grants the initial request for exemption, the same shall be effective beginning with the date of first exempt use except that, with respect to property the construction of which commenced not to exceed 24 months prior to the date of first exempt use, the same shall be effective beginning with the date of commencement of construction.

(k) In conjunction with its authority to grant exemptions, the board shall have the

authority to abate all unpaid taxes that have accrued from and since the effective date of the exemption. In the event that taxes have been paid during the period where the subject property has been determined to be exempt, the board shall have the authority to order a refund of taxes for the year immediately preceding the year in which the exemption application is filed in accordance with subsection (a).

(l) The provisions of this section shall not apply to: (1) Farm machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (2) personal property exempted from ad valorem taxation by K.S.A. 79-215, and amendments thereto; (3) wearing apparel, household goods and personal effects exempted from ad valorem taxation by K.S.A. 79-201c, and amendments thereto; (4) livestock; (5) all property exempted from ad valorem taxation by K.S.A. 79-201d, and amendments thereto; (6) merchants' and manufacturers' inventories exempted from ad valorem taxation by K.S.A. 79-201m, and amendments thereto; (7) grain exempted from ad valorem taxation by K.S.A. 79-201n, and amendments thereto; (8) property exempted from ad valorem taxation by K.S.A. 79-201a *Seventeenth*, and amendments thereto, including all property previously acquired by the secretary of transportation or a predecessor in interest, which is used in the administration, construction, maintenance or operation of the state system of highways. The secretary of transportation shall at the time of acquisition of property notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (9) property exempted from ad valorem taxation by K.S.A. 79-201a *Ninth*, and amendments thereto, including all property previously acquired by the Kansas turnpike authority which is used in the administration, construction, maintenance or operation of the Kansas turnpike. The Kansas turnpike authority shall at the time of acquisition of property notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (10) aquaculture machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto. As used in this section, "aquaculture" has the same meaning ascribed thereto by K.S.A. 47-1901, and amendments thereto; (11) Christmas tree machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (12) property used exclusively by the state or any municipality or political subdivision of the state for right-of-way purposes. The state agency or the governing body of the municipality or political subdivision shall at the time of acquisition of property for right-of-way purposes notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (13) machinery, equipment, materials and supplies exempted from ad valorem taxation by K.S.A. 79-201w, and amendments thereto; (14) vehicles owned by the state or by any political or taxing subdivision thereof and used exclusively for governmental purposes; (15) property used for residential purposes which is exempted pursuant to K.S.A. 79-201x, and amendments thereto, from the property tax levied pursuant to K.S.A. 72-5142, and amendments thereto; (16) from and after July 1, 1998, vehicles which are owned by an organization having as one of its purposes the assistance by the provision of transit services to the elderly and to disabled persons and which are exempted pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto; (17) from and after July 1, 1998, motor vehicles exempted from taxation by K.S.A. 79-5107(e), and amendments thereto; (18) commercial and industrial machinery and equipment exempted from

property or ad valorem taxation by K.S.A. 79-223, and amendments thereto; (19) telecommunications machinery and equipment and railroad machinery and equipment exempted from property or ad valorem taxation by K.S.A. 79-224, and amendments thereto; (20) property exempted from property or ad valorem taxation by K.S.A. 79-234, and amendments thereto; (21) recreational vehicles exempted from property or ad valorem taxation by K.S.A. 79-5121(e), and amendments thereto; (22) property acquired by a land bank exempt from property or ad valorem taxation pursuant to K.S.A. 12-5909 or K.S.A. 19-26,111, and amendments thereto; ~~and~~ (23) property belonging exclusively to the United States and exempted from ad valorem taxation by K.S.A. 79-201a *First*, and amendments thereto, except that the provisions of this subsection (1)(23) shall not apply to any such property that the congress of the United States has expressly declared to be subject to state and local taxation; (24) watercraft exempted from property or ad valorem taxation by K.S.A. 79-5501, and amendments thereto; and (25) property exempted from property or ad valorem taxation by section 3, and amendments thereto.

(m) The provisions of this section shall apply to property exempt pursuant to the provisions of section 13 of article 11 of the constitution of the state of Kansas.

(n) The provisions of subsection (k) as amended by this act shall be applicable to all exemption applications filed in accordance with subsection (a) after December 31, 2001.

(o) No exemption authorized by K.S.A. 79-227, and amendments thereto, of property from the payment of ad valorem property taxes assessed shall be granted unless the requesting property owner files an initial request for exemption pursuant to this section within two years of the date in which construction of a new qualifying pipeline property began. The provisions of this subsection shall be applicable to all requests for exemptions filed in accordance with subsection (a) after June 30, 2017.

Sec. 5. K.S.A. 79-503a is hereby amended to read as follows: 79-503a. "Fair market value" means the amount in terms of money that a well informed buyer is justified in paying and a well informed seller is justified in accepting for property in an open and competitive market, assuming that the parties are acting without undue compulsion. In the determination of fair market value of any real property which is subject to any special assessment, such value shall not be determined by adding the present value of the special assessment to the sales price. For the purposes of this definition it will be assumed that consummation of a sale occurs as of January 1.

Sales in and of themselves shall not be the sole criteria of fair market value but shall be used in connection with cost, income and other factors including but not by way of exclusion:

- (a) The proper classification of lands and improvements;
- (b) the size thereof;
- (c) the effect of location on value;
- (d) depreciation, including physical deterioration or functional, economic or social obsolescence;
- (e) cost of reproduction of improvements;
- (f) productivity taking into account all restrictions imposed by the state or federal government and local governing bodies, including, but not limited to, restrictions on property rented or leased to low income individuals and families as authorized by section 42 of the federal internal revenue code of 1986, as amended;

(g) earning capacity as indicated by lease price, by capitalization of net income or by absorption or sell-out period;

(h) rental or reasonable rental values or rental values restricted by the state or federal government or local governing bodies, including, but not limited to, restrictions on property rented or leased to low income individuals and families, as authorized by section 42 of the federal internal revenue code of 1986, as amended;

(i) sale value on open market with due allowance to abnormal inflationary factors influencing such values;

(j) restrictions or requirements imposed upon the use of real estate by the state or federal government or local governing bodies, including zoning and planning boards or commissions, and including, but not limited to, restrictions or requirements imposed upon the use of real estate rented or leased to low income individuals and families, as authorized by section 42 of the federal internal revenue code of 1986, as amended; and

(k) comparison with values of other property of known or recognized value. The assessment-sales ratio study shall not be used as an appraisal for appraisal purposes.

The appraisal process utilized in the valuation of all real and tangible personal property for ad valorem tax purposes shall conform to generally accepted appraisal procedures and standards which are consistent with the definition of fair market value unless otherwise specified by law.

The sale price or value at which a property sells or transfers ownership in a federal internal revenue code section 1031 exchange, a build-to-suit transaction or any sale-leaseback arrangement shall not be considered an indicator of fair market value nor as a factor in arriving at fair market value. Federal internal revenue code section 1031 exchange, build-to-suit and sale-leaseback arrangement transactions shall not be used as comparable sales for valuation purposes nor as valid sales for purposes of sales ratio studies conducted pursuant to K.S.A. 79-1485 et seq., and amendments thereto.

Sec. 6. K.S.A. 2023 Supp. 79-1460 is hereby amended to read as follows: 79-1460.

(a) The county appraiser shall notify each taxpayer in the county annually on or before March 1 for real property and May 1 for personal property, by mail directed to the taxpayer's last known address, of the classification and appraised valuation of the taxpayer's property, except that, the valuation for all real property shall not be increased unless the record of the latest physical inspection was reviewed by the county or district appraiser, and documentation exists to support such increase in valuation in compliance with the directives and specifications of the director of property valuation, and such record and documentation is available to the affected taxpayer. Alternatively, the county appraiser may transmit the classification and appraised valuation to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

(b) The valuation for all real property also shall not be increased solely as the result of normal repair, replacement or maintenance of existing structures, equipment or improvements on the property. For the next two taxable years following the taxable year that the valuation for commercial real property has been reduced due to a final determination made pursuant to the valuation appeals process, the county appraiser shall review the computer-assisted mass-appraisal of the property and if, the valuation in either of those two years exceeds the value of the previous year by more than 5%, excluding new construction, change in use or change in classification, the county appraiser shall either:

(1) Adjust the valuation of the property based on the information provided in the

previous appeal; or

(2) order an independent fee simple appraisal of the property to be performed by a Kansas certified real property appraiser.

(c) When the valuation for real property has been reduced due to a final determination made pursuant to the valuation appeals process for the prior year, and the county appraiser has already certified the appraisal rolls for the current year to the county clerk pursuant to K.S.A. 79-1466, and amendments thereto, the county appraiser may amend the appraisal rolls and certify the changes to the county clerk to implement the provisions of this subsection and reduce the valuation of the real property to the prior year's final determination, except that such changes shall not be made after October 31 of the current year.

(d) (1) The notice provided under subsection (a) shall specify:

(A) Separately for the previous tax year and the current tax year, the appraised and assessed values for each property class identified on the parcel;

(B) the uniform parcel identification number prescribed by the director of property valuation; ~~and~~

(C) a statement of the taxpayer's right to appeal, the procedure to be followed in making such appeal and the availability without charge of the guide devised pursuant to subsection (g); ~~and~~

(D) a valuation history of the parcel that includes, at a minimum, a statement or display of the total appraised values of the parcel for the current tax year and the previous four tax years.

(2) Such notice may, and if the board of county commissioners so require, shall provide the parcel identification number, address and the sale date and amount of any or all sales utilized in the determination of appraised value of residential real property.

(e) In any year in which no change in appraised valuation of any real property from its appraised valuation in the next preceding year is determined, an alternative form of notification which has been approved by the director of property valuation may be utilized by a county.

(f) Failure to timely mail or receive such notice shall in no way invalidate the classification or appraised valuation as changed. The secretary of revenue shall adopt rules and regulations necessary to implement the provisions of this section.

(g) There shall be provided to each taxpayer, upon request, a guide to the property tax appeals process. The director of the division of property valuation shall devise and publish such guide and shall provide sufficient copies thereof to all county appraisers. Such guide shall include, but not be limited to:

(1) A restatement of the law which pertains to the process and practice of property appraisal methodology, including the contents of K.S.A. 79-503a and 79-1460, and amendments thereto;

(2) the procedures of the appeals process, including the order and burden of proof of each party and time frames required by law; and

(3) such other information deemed necessary to educate and enable a taxpayer to properly and competently pursue an appraisal appeal.

(h) As used in this section:

(1) "New construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.

(2) "Normal repair, replacement or maintenance" does not include new construction.

(3) "Taxpayer" means the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and includes the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds and the real property or improvement thereon is subject of a lease agreement.

Sec. 7. K.S.A. 2023 Supp. 79-2005 is hereby amended to read as follows: 79-2005. (a) Any taxpayer, before protesting the payment of such taxpayer's taxes, shall be required, either at the time of paying such taxes, or, if the whole or part of the taxes are paid prior to December 20, no later than December 20, or, with respect to taxes paid in whole or in part in an amount equal to at least $\frac{1}{2}$ of such taxes on or before December 20 by an escrow or tax service agent, no later than January 31 of the next year, to file a written statement with the county treasurer, on forms approved by the state board of tax appeals and provided by the county treasurer, clearly stating the grounds on which the whole or any part of such taxes are protested and citing any law, statute or facts on which such taxpayer relies in protesting the whole or any part of such taxes. When the grounds of such protest is an assessment of taxes made pursuant to K.S.A. 79-332a and 79-1427a, and amendments thereto, the county treasurer may not distribute the taxes paid under protest until such time as the appeal is final. When the grounds of such protest is that the valuation or assessment of the property upon which the taxes are levied is illegal or void, the county treasurer shall forward a copy of the written statement of protest to the county appraiser who shall within 15 days of the receipt thereof, schedule an informal meeting with the taxpayer or such taxpayer's agent or attorney with reference to the property in question. At the informal meeting, it shall be the duty of the county appraiser or the county appraiser's designee to initiate production of evidence to substantiate the valuation of such property, including a summary of the reasons that the valuation of the property has been increased over the preceding year, any assumptions used by the county appraiser to determine the value of the property and a description of the individual property characteristics, property specific valuation records and conclusions. The taxpayer shall be provided with the opportunity to review the data sheets applicable to the valuation approach utilized for the subject property. The county appraiser shall take into account any evidence provided by the taxpayer which relates to the amount of deferred maintenance and depreciation of the property. The county appraiser shall review the appraisal of the taxpayer's property with the taxpayer or such taxpayer's agent or attorney and may change the valuation of the taxpayer's property, if in the county appraiser's opinion a change in the valuation of the taxpayer's property is required to assure that the taxpayer's property is valued according to law, and shall, within 15 business days thereof, notify the taxpayer in the event the valuation of the taxpayer's property is changed, in writing of the results of the meeting. The county appraiser shall not increase the appraised valuation of the property as a result of the informal meeting. In the event the valuation of the taxpayer's property is changed and such change requires a refund of taxes and interest thereon, the county treasurer shall process the refund in the manner provided by subsection (l).

(b) No protest appealing the valuation or assessment of property shall be filed pertaining to any year's valuation or assessment when an appeal of such valuation or assessment was commenced pursuant to K.S.A. 79-1448, and amendments thereto, nor shall the second half payment of taxes be protested when the first half payment of taxes

has been protested. Notwithstanding the foregoing, this provision shall not prevent any subsequent owner from protesting taxes levied for the year in which such property was acquired, nor shall it prevent any taxpayer from protesting taxes when:

(1) The valuation or assessment of such taxpayer's property has been changed pursuant to an order of the director of property valuation;

(2) the taxpayer withdrew such taxpayer's appeal commenced pursuant to K.S.A. 79-1448, and amendments thereto; or

(3) the taxpayer wishes to present new evidence relating to the valuation or assessment of such property.

(c) A protest shall not be necessary to protect the right to a refund of taxes in the event a refund is required because the final resolution of an appeal commenced pursuant to K.S.A. 79-1448, and amendments thereto, occurs after the final date prescribed for the protest of taxes.

(d) If the grounds of such protest shall be that the valuation or assessment of the property upon which the taxes so protested are levied is illegal or void, such statement shall further state the exact amount of valuation or assessment which the taxpayer admits to be valid and the exact portion of such taxes which is being protested.

(e) If the grounds of such protest shall be that any tax levy, or any part thereof, is illegal, such statement shall further state the exact portion of such tax which is being protested.

(f) Upon the filing of a written statement of protest, the grounds of which shall be that any tax levied, or any part thereof, is illegal, the county treasurer shall mail a copy of such written statement of protest to the state board of tax appeals and the governing body of the taxing district making the levy being protested.

(g) Within 30 days after notification of the results of the informal meeting with the county appraiser pursuant to subsection (a), the protesting taxpayer may, if aggrieved by the results of the informal meeting with the county appraiser, appeal such results to the state board of tax appeals.

(h) After examination of the copy of the written statement of protest and a copy of the written notification of the results of the informal meeting with the county appraiser in cases where the grounds of such protest is that the valuation or assessment of the property upon which the taxes are levied is illegal or void, the board shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act, unless waived by the interested parties in writing. If the grounds of such protest is that the valuation or assessment of the property is illegal or void the board shall notify the county appraiser thereof.

(i) In the event of a hearing, the same shall be originally set not later than 90 days after the filing of the copy of the written statement of protest and a copy, when applicable, of the written notification of the results of the informal meeting with the county appraiser with the board. With regard to any matter properly submitted to the board relating to the determination of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination except that no such duty shall accrue to the county or district appraiser with regard to leased commercial and industrial property unless the property owner has furnished to the county or district appraiser a complete income and expense statement for the

property for the three years next preceding the year of appeal. No presumption shall exist in favor of the county appraiser with respect to the validity and correctness of such determination. In all instances where the board sets a request for hearing and requires the representation of the county by its attorney or counselor at such hearing, the county shall be represented by its county attorney or counselor. The board shall take into account any evidence provided by the taxpayer which relates to the amount of deferred maintenance and depreciation for the property. In any appeal from the reclassification of property that was classified as land devoted to agricultural use for the preceding year, the taxpayer's classification of the property as land devoted to agricultural use shall be presumed to be valid and correct if the taxpayer provides an executed lease agreement or other documentation demonstrating a commitment to use the property for agricultural use, if no other actual use is evident. With regard to any matter properly submitted to the board relating to the determination of valuation of property for taxation purposes, the board shall not increase the appraised valuation of the property to an amount greater than the appraised value reflected in the notification of the results of the informal meeting with the county appraiser from which the taxpayer appealed.

(j) When a determination is made as to the merits of the tax protest, the board shall render and serve its order thereon. The county treasurer shall notify all affected taxing districts of the amount by which tax revenues will be reduced as a result of a refund.

(k) If a protesting taxpayer fails to file a copy of the written statement of protest and a copy, when applicable, of the written notification of the results of the informal meeting with the county appraiser with the board within the time limit prescribed, such protest shall become null and void and of no effect whatsoever.

(l) (1) In the event the board orders that a refund be made pursuant to this section or the provisions of K.S.A. 79-1609, and amendments thereto, or a court of competent jurisdiction orders that a refund be made, and no appeal is taken from such order, or in the event a change in valuation which results in a refund pursuant to subsection (a), the county treasurer shall, as soon thereafter as reasonably practicable, refund to the taxpayer such protested taxes and, with respect to protests or appeals commenced after the effective date of this act, interest computed at the rate prescribed by K.S.A. 79-2968, and amendments thereto, minus two percentage points, per annum from the date of payment of such taxes from tax moneys collected but not distributed. Upon making such refund, the county treasurer shall charge the fund or funds having received such protested taxes, except that, with respect to that portion of any such refund attributable to interest the county treasurer shall charge the county general fund. In the event that the state board of tax appeals or a court of competent jurisdiction finds that any time delay in making its decision is unreasonable and is attributable to the taxpayer, it may order that no interest or only a portion thereof be added to such refund of taxes.

(2) No interest shall be allowed pursuant to paragraph (1) in any case where the tax paid under protest was inclusive of delinquent taxes.

(m) Whenever, by reason of the refund of taxes previously received or the reduction of taxes levied but not received as a result of decreases in assessed valuation, it will be impossible to pay for imperative functions for the current budget year, the governing body of the taxing district affected may issue no-fund warrants in the amount necessary. Such warrants shall conform to the requirements prescribed by K.S.A. 79-2940, and amendments thereto, except they shall not bear the notation required by such section and may be issued without the approval of the state board of tax appeals. The

governing body of such taxing district shall make a tax levy at the time fixed for the certification of tax levies to the county clerk next following the issuance of such warrants sufficient to pay such warrants and the interest thereon. All such tax levies shall be in addition to all other levies authorized by law.

(n) Whenever a taxpayer appeals to the board of tax appeals pursuant to the provisions of K.S.A. 79-1609, and amendments thereto, or pays taxes under protest related to one property whereby the assessed valuation of such property exceeds 5% of the total county assessed valuation of all property located within such county and the taxpayer receives a refund of such taxes paid under protest or a refund made pursuant to the provisions of K.S.A. 79-1609, and amendments thereto, the county treasurer or the governing body of any taxing subdivision within a county may request the pooled money investment board to make a loan to such county or taxing subdivision as provided in this section. The pooled money investment board is authorized and directed to loan to such county or taxing subdivision sufficient funds to enable the county or taxing subdivision to refund such taxes to the taxpayer. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Each loan shall bear interest at a rate equal to the net earnings rate of the pooled money investment portfolio at the time of the making of such loan. The total aggregate amount of loans under this program shall not exceed \$50,000,000 of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the county treasurer or governing body of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the county treasurer or governing body from the state bank account or accounts prescribed in this subsection to the county treasurer who shall deposit such amount in the county treasury. Any such loan authorized pursuant to this subsection shall be repaid within four years. The county or taxing subdivision shall make not more than four equal annual tax levies at the time fixed for the certification of tax levies to the county clerk following the making of such loan sufficient to pay such loan within the time period required under such loan. All such tax levies shall be in addition to all other levies authorized by law.

(o) The county treasurer shall disburse to the proper funds all portions of taxes paid under protest and shall maintain a record of all portions of such taxes which are so protested and shall notify the governing body of the taxing district levying such taxes thereof and the director of accounts and reports if any tax protested was levied by the state.

(p) This statute shall not apply to the valuation and assessment of property assessed by the director of property valuation and it shall not be necessary for any owner of state assessed property, who has an appeal pending before the state board of tax appeals, to protest the payment of taxes under this statute solely for the purpose of protecting the right to a refund of taxes paid under protest should that owner be successful in that appeal.

Sec. 8. K.S.A. 2023 Supp. 79-4508a is hereby amended to read as follows: 79-4508a. (a) For tax year 2022, and all tax years thereafter, the amount of any claim

pursuant to this section shall be computed by deducting the claimant's base year ad valorem tax amount for the homestead from the claimant's homestead ad valorem tax amount for the tax year for which the refund is sought. This section shall be known and may be cited as the homeowners' property tax freeze program.

(b) As used in this section:

(1) "Base year" means the year in which an individual becomes an eligible claimant and who is also eligible for a claim for refund pursuant to this section. For any individual who would otherwise be an eligible claimant prior to 2021, such base year shall be deemed to be 2021 for the purposes of this act.

(2) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a person 65 years of age or older or a disabled veteran who was receiving benefits pursuant to this section at the time of the claimant's death shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

(3) "Household income" means all income as defined in K.S.A. 79-4502(a), and amendments thereto, excluding all payments received under the federal social security act received by persons of a household in a calendar year while members of such household.

(c) A claimant shall only be eligible for a claim for refund under this section if:

(1) The claimant's household income for the year in which the claim is filed is ~~\$50,000~~ \$80,000 or less; and

(2) the appraised value of the claimant's homestead for the base year is ~~\$350,000~~ \$500,000 or less.

The provisions of K.S.A. 79-4522, and amendments thereto, shall not apply to a claim pursuant to this section. In the case of all tax years commencing after December 31, 2022, the upper limit household income threshold amount prescribed in this subsection shall be increased by an amount equal to such threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

(d) A taxpayer shall not be eligible for a homestead property tax refund claim pursuant to this section if such taxpayer has received for such property for such tax year either: (1) A homestead property tax refund pursuant to K.S.A. 79-4508, and amendments thereto; or (2) the selective assistance for effective senior relief (SAFESR) credit pursuant to K.S.A. 79-32,263, and amendments thereto.

(e) The amount of any claim shall be computed to the nearest \$1.

(f) The household income and appraised value amendments made to this section by this act shall apply retroactively, and the deadline to file claims for tax years 2022 and 2023 shall be extended to on or before April 15, 2025.

(g) The provisions of this section shall be a part of and supplemental to the homestead property tax refund act.

Sec. 9. K.S.A. 79-5501 is hereby amended to read as follows: 79-5501. (a) ~~On and after Commencing July 1, 2013, and through December 31, 2024,~~ watercraft shall be appraised at fair market value determined therefor pursuant to K.S.A. 79-503a, and amendments thereto, and assessed at the percentage of value as follows: (1) 11.5% in

tax year 2014; and (2) 5% in tax-year years 2015 ~~and all tax years thereafter through 2024~~. On and after January 1, 2014, the levy used to calculate the tax on watercraft shall be the county average tax rate. In no case shall the assessed value of any watercraft, as determined under the provisions of this section, cause the tax upon such watercraft to be less than \$12.

(b) As used in this section, the term "watercraft" means any watercraft designed to be propelled by machinery, oars, paddles or wind action upon a sail for navigation on the water which, if not for the provisions of this section, would be properly classified under subclass 5 or 6 of class 2 of section 1 of article 11 of the Kansas constitution. This section shall not be construed as taxing any watercraft which otherwise would be exempt from property taxation under the laws of the state of Kansas. Each watercraft may include one trailer which is designed to launch, retrieve, transport and store such watercraft and any nonelectric motor or motors which are necessary to operate such watercraft on the water.

(c) Any watercraft which is designed to be propelled through the water through human power alone shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas.

(d) The "county average tax rate" means the total amount of general property taxes levied within the county by the state, county and all other taxing subdivisions divided by the total assessed valuation of all taxable property within the county as of November 1 of the year prior to the year of valuation as certified by the secretary of revenue.

(e) On and after January 1, 2025, all watercraft shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas.";

On page 2, in line 1, by striking "12-2624 and 44-588" and inserting "79-213, 79-503a and 79-5501 and K.S.A. 2023 Supp. 79-1460, 79-2005 and 79-4508a"; in line 3, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 4; in line 5, by striking all before the semicolon and inserting "taxation; relating to income tax; establishing the veterans' valor property tax relief act and providing for an income tax credit or refund for eligible individuals; excluding social security payments from household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased property tax claims and citing the section as the homeowners' property tax freeze program; relating to property tax; providing a property tax exemption for certain business property operated in competition with property owned or operated by a governmental entity; providing exemptions for certain personal property including watercraft, marine equipment, off-road vehicles, motorized bicycles and certain trailers; excluding internal revenue code section 1031 exchange, build-to-suit and sale-leaseback arrangement transactions as indicators of fair market value; providing for certain exclusions from the prohibition of paying taxes under protest after a valuation notice appeal; providing four prior years' values on the annual valuation notice"; also in line 5, by striking "12-2624 and 44-588" and inserting "79-213, 79-503a and 79-5501 and K.S.A. 2023 Supp. 79-1460, 79-2005 and 79-4508a";

And your committee on conference recommends the adoption of this report.

CARYN TYSON
 VIRGIL PECK
 TOM HOLLAND

Conferees on part of Senate

ADAM SMITH
 BRIAN BERGKAMP
 TOM SAWYER

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2096**. Senator Longbine offered a substitute motion to not adopt, send the bill back to conference and appoint a new conference committee. The motion failed.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 19; Nays 20; Present and Passing 0; Absent or Not Voting 1.

Yeas: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Shallenburger, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Ryckman.

The substitute motion failed.

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2096**.

On roll call, the vote was: Yeas 23; Nays 14; Present and Passing 2; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pittman, Pyle, Shallenburger, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Haley, Holland, Holscher, Longbine, McGinn, O'Shea, Pettey, Reddi, Sykes, Ware.

Present and Passing: Francisco, Steffen.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2098** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 28; following line 28 by inserting:

"New Section 1. (a) On and after July 1, 2026, notwithstanding any provision of law to the contrary, all sales of tangible personal property or services, except sales of

motor vehicles, alcoholic beverages, tobacco, electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, and consumable material as defined by K.S.A. 79-3399, and amendments thereto, for such electronic cigarettes, to persons who are residents of this state and have been honorably discharged from active service in any branch of the armed forces of the United States and who are certified by the United States department of veterans affairs or its successor to have a 100% disability or be deemed totally disabled or unemployable, provided that the disability is permanent and was sustained through military action or accident or resulted from disease contracted while in such active service, shall be exempt from the tax imposed by the Kansas retailers' sales tax act. Sales of items or services for the benefit of the eligible person, as provided by this section, that are purchased on behalf of such eligible person by a spouse or by a member of the household in which the eligible person resides and who is authorized to make purchases on the eligible person's behalf shall also be exempt for purposes of this section. The surviving spouse of an eligible person who was receiving an exemption pursuant to this section at the time of such person's death shall be eligible to continue to receive such exemption until the surviving spouse remarries. This exemption shall apply only to such property and services that are used or will be used for the personal use of the eligible person or such person's spouse or surviving spouse and not used for the production of income.

(b) Sales qualifying for the exemption authorized by this section shall not exceed \$24,000 per year per eligible person.

(c) Prior to claiming any such exemption, an eligible person claiming an exemption pursuant to this section shall apply to and obtain from the secretary of revenue a veteran exemption identification number. The secretary shall prescribe the application form for such number, and such eligible person shall provide with the application information sufficient to establish that such eligible person qualifies for the sales tax exemption. The department of revenue shall also provide to each qualifying eligible person an exemption certificate in the form of a driver's-license-size card that includes the veteran exemption identification number of such eligible person and any other information necessary to prove eligibility to any retailer. Such eligible person shall present the exemption certificate card or enter the issued identification number on any exemption certificate presented to any retailer when claiming the sales tax exemption on any qualifying purchases.

(d) Upon request of the secretary, an eligible person asserting or claiming the exemption authorized by this section shall provide a statement, executed under oath, that the total sales amounts for which the exemption is applicable have not exceeded the individual taxpayer's yearly limit prescribed by this section. If the amount of such exempt sales exceeds such prescribed limit, the sales tax in excess of the authorized amount shall be treated as a direct sales tax liability and may be recovered by the department of revenue in the same manner as provided by the Kansas retailers' sales tax act.

(e) This section shall be a part of and supplemental to the Kansas retailers' sales tax act.

New Sec. 2. (a) When a used motor vehicle is sold on or after January 1, 2025, by an individual instead of being traded in as partial payment on the sale of a new or used motor vehicle, and the individual purchases a new or used vehicle of greater value within 120 days before or after such sale, the tax imposed by the Kansas retailers' sales

tax act pursuant to K.S.A. 79-3601 et seq., and amendments thereto, or the Kansas compensating tax pursuant to K.S.A. 79-3701 et seq., and amendments thereto, shall be paid on the amount of total consideration paid for the new or used vehicle purchased by such individual that exceeds the amount received by such individual from such sale of the used motor vehicle. In the event that the consideration paid for the purchased vehicle is equal to or less than the amount received from the sale of the used motor vehicle, then the individual shall not owe any sales or compensating use tax.

(b) For purposes of subsection (a), the individual may either:

(1) Provide to the county treasurer the completed bills of sale for the vehicle sold and the vehicle purchased at the time that the purchased vehicle is registered. The county treasurer shall collect the tax on the amount prescribed under subsection (a); or

(2) apply to the department of revenue if taxes have already been paid on the purchased vehicle for a refund of the amount of tax paid by the individual that exceeds the tax amount owed pursuant to subsection (a) by providing both the completed bills of sale for the vehicle sold and the vehicle purchased.

(c) (1) The deduction provided by this section shall not be allowed unless the taxpayer claiming the deduction provides a copy of the bills of sale required pursuant to subsection (b), and such bills of sale are on department of revenue form TR-312 or, at a minimum, include information necessary to tie the specific purchase transaction to the related sale transaction including, but not limited to, the:

- (A) Seller's printed name and address;
- (B) buyer's printed name and address;
- (C) year, make and vehicle identification number of the vehicle;
- (D) sale price and date of sale of the vehicle; and
- (E) signatures of the seller and the buyer and the date signed.

(2) The sale price, date of sale and the name of at least one buyer and seller listed on the bill of sale must match the information entered in the assignment of title on the back of the certificate of title.

(3) If the taxpayer claiming such deduction fails to provide such signed bills of sale, the tax shall be due on the total consideration paid for the new or used vehicle.

(d) The department of revenue shall issue a refund pursuant to subsection (b)(2) from the sales tax refund fund for any valid claims filed within three years from the date of the purchase of the replacement vehicle.

(e) The director of vehicles shall prescribe forms for compliance with this section.

(f) As used in this section, "consideration paid" means the amount paid after any rebate or discount.

Sec. 3. K.S.A. 12-199 is hereby amended to read as follows: 12-199. (a) Except as otherwise provided by section 2, and amendments thereto, a compensating use tax for the privilege of using or storing within a city or county any vehicle—~~which that~~ is required to be registered under the provisions of article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, and ~~which that~~ is purchased within this state but without the local retailers' sales taxing jurisdiction of such city or county, is hereby imposed by every city or county imposing a retailers' sales tax. The rate of any such tax shall be equal to the difference between the aggregate rate of all local retailers' sales tax rates imposed by all local retailers sales taxing jurisdictions of the situs of such vehicle less the aggregate rate of all local retailers' sales tax rates imposed by all local retailers' sales taxing jurisdictions of the situs of the purchase of such vehicle. Except as

otherwise provided in this section, any city or county imposing a compensating use tax is prohibited from administering such tax locally, but shall utilize the services of the state department of revenue to administer and enforce such tax. All laws and rules and regulations of the state department of revenue relating to the Kansas compensating tax shall apply to such local compensating use tax insofar as the same may be made applicable. Such tax shall be collected by the county treasurer at the time the vehicle is registered in this state following a sale occurring within this state. Registration of such vehicle within a taxing jurisdiction shall be deemed to constitute use or storage thereof for compensating tax purposes and the residence or place of business of the applicant shall be deemed to be the situs of such use or storage for purposes of the collection and distribution thereof.

(b) The secretary of revenue is authorized to administer and enforce a city's or county's compensating use tax and to adopt such rules and regulations necessary for the efficient and effective administration, enforcement and collection thereof.

(c) All revenue received by any county treasurer from a countywide compensating use tax shall be apportioned among the county and each city located in such county in the same manner as provided in K.S.A. 12-192, and amendments thereto, for the apportionment of revenue received from a countywide retailers' sales tax, and all revenue received from a city compensating use tax shall be remitted at least quarterly to the treasurer of such city.

Sec. 4. K.S.A. 2023 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document

given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that offers education at a level above the 12th grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the higher learning commission, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" includes bottled water, candy, dietary supplements, food sold through vending machines and soft drinks. "Food and food ingredients" does not include alcoholic beverages or tobacco.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property that is necessary or essential to, and that is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication

of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale that are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and that is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization that makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property that has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer or possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the

amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state that is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or that certifies a levy to a municipality, agency or subdivision of the state that is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including

prewritten upgrades, that is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property that is essential or necessary to and that is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, that qualifies as property that is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as

the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

(A) The seller's cost of the property sold;

(B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;

(C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(D) (i) prior to July 1, 2023, delivery charges; and

(ii) on and after July 1, 2023, delivery charges that are not separately stated on the invoice, bill of sale or similar document given to the purchaser; and

(E) installation charges.

(2) "Sales or selling price" includes consideration received by the seller from third parties if:

(A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

(C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(D) one of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or

(iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

(3) "Sales or selling price" shall not include:

(A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(B) interest, financing and carrying charges from credit extended on the sale of

personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;

(C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser;

(E) cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale; ~~and~~

(F) commencing on July 1, 2023, delivery charges that are separately stated on the invoice, bill of sale or similar document given to the purchaser; and

(G) notwithstanding the provisions of paragraph (2), coupons issued by a manufacturer, supplier or distributor of a product that entitle the purchaser to a reduction in sales price and allowed by the seller who is reimbursed by the manufacturer, supplier or distributor. When the seller accepts such coupons, only the amount paid by the purchaser is included in the sales price.

(mm) "Seller" means a person making sales, leases or rentals of personal property or services.

(nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) "Sourcing rules" means the rules set forth in K.S.A. 79-3670 through 79-3673, 12-191 and 12-191a, and amendments thereto, that shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.

(qq) "Taxpayer" means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) "Over-the-counter drug" means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the

telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, that offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. 900 service does not include the charge for

collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Interstate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) "Cereal malt beverage" shall have the same meaning as such term is defined in K.S.A. 41-2701, and amendments thereto, except that for the purposes of the Kansas ~~retailers~~ retailers' sales tax act and for no other purpose, such term shall include beer containing not more than 6% alcohol by volume when such beer is sold by a retailer licensed under the Kansas cereal malt beverage act.

(iii) "Nonprofit integrated community care organization" means an entity that is:

(1) Exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(2) certified to participate in the medicare program as a hospice under 42 C.F.R. § 418 et seq. and focused on providing care to the aging and indigent population at home and through inpatient care, adult daycare or assisted living facilities and related facilities and services across multiple counties; and

(3) approved by the Kansas department for aging and disability services as an organization providing services under the program of all-inclusive care for the elderly as defined in 42 U.S.C. § 1396u-4 and regulations implementing such section.

(jjj) (1) "Bottled water" means water that is placed in a safety sealed container or package for human consumption. "Bottled water" is calorie free and does not contain sweeteners or other additives, except that it may contain:

(A) Antimicrobial agents;

(B) fluoride;

(C) carbonation;

(D) vitamins, minerals and electrolytes;

(E) oxygen;

(F) preservatives; or

(G) only those flavors, extracts or essences derived from a spice or fruit.

(2) "Bottled water" includes water that is delivered to the buyer in a reusable container that is not sold with the water.

(lll) (1) "Candy" means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings

in the form of bars, drops or pieces.

(2) "Candy" does not include any preparation containing flour and shall require no refrigeration.

(mmm) "Dietary supplement" means the same as defined in K.S.A. 79-3606(jjj), and amendments thereto.

(nnn) "Food sold through vending machines" means food dispensed from a machine or other mechanical device that accepts payment.

(ooo) (1) "Prepared food" means:

(A) Food sold in a heated state or heated by the seller;

(B) two or more food ingredients mixed or combined by the seller for sale as a single item; or

(C) food sold with eating utensils provided by the seller, including, but not limited to, plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.

(2) "Prepared food" does not include:

(A) Food that is only cut, repackaged or pasteurized by the seller; or

(B) eggs, fish, meat, poultry or foods containing these raw animal foods that require cooking by the consumer as recommended by the food and drug administration in chapter 3, part 401.11 of the food and drug administration food code so as to prevent food borne illnesses.

(ppp) (1) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners.

(2) "Soft drinks" does not include beverages that contain milk or milk products, soy, rice or similar milk substitutes or beverages that are greater than 50% vegetable or fruit juice by volume.

Sec. 5. K.S.A. 2023 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this

act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, ~~and multi community diversified services, incorporated, located in McPherson, Kansas, the Kansas state school for the blind and the Kansas state school for the deaf;~~

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such

project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant

to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain

from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or

19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, "severing" means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this

subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection,

"business" and "retail business" mean the same as defined in K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for

people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity

processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used to:

(A) Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) guide, control or direct the movement of property undergoing manufacturing or processing;

(E) test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation;

or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing

process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of

1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training,

employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity

for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery

and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the

director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided

for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, that would be exempt from taxation

under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is

not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and

furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the

contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are

found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent,

employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will

not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to

the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3)

of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the

project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver

bullion. For the purposes of this subsection, "bullion" means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form;

(nnnn) all sales of tangible personal property or services purchased by friends of hospice of Jefferson county, an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing support to the Jefferson county hospice agency in end-of-life care of Jefferson county families, friends and neighbors, and all sales of entry or participation fees, charges or tickets by friends of hospice of Jefferson county for such organization's fundraising event for such purpose;

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in K.S.A. 2023 Supp. 74-50,312 and 74-50,319, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce, and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "qualified business facility," "qualified firm" and "qualified supplier" mean the same as defined in K.S.A. 2023 Supp. 74-50,311, and amendments thereto;

(pppp) (1) all sales of tangible personal property or services purchased by a not-for-profit corporation that is designated as an area agency on aging by the secretary for aging and disabilities services and is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code for the purpose of coordinating and providing seniors and those living with disabilities with services that promote person-centered care, including home-delivered meals, congregate meal settings, long-term case management, transportation, information, assistance and other preventative and intervention services to help service recipients remain in their homes and communities or for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for such area agency on aging;

and

(2) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging that would be exempt from taxation under the provisions of this section if purchased directly by such area agency on aging. Nothing in this paragraph shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging. When an area agency on aging contracts for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and such contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such area agency on aging a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the area agency on aging concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof, the area agency on aging may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto; ~~and~~

(qqqq) all sales of tangible personal property or services purchased by Kansas suicide prevention HQ, inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of bringing suicide prevention training and awareness to communities across the state;

(rrrr) all sales of the services of slaughtering, butchering, custom cutting, dressing, processing and packaging of an animal for human consumption when the animal is delivered or furnished by a customer that owns the animal and such meat or poultry is for use or consumption by such customer;

(ssss) all sales of tangible personal property or services purchased by or on behalf of doorstep inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of

providing short-term emergency aid to families and individuals in need, including assistance with food, clothing, rent, prescription medications, transportation and utilities, and providing information on services to promote long-term self-sufficiency;

(tttt) on and after January 1, 2024, all sales of tangible personal property or services purchased by exploration place, inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and which such property and services are used for the purpose of constructing, remodeling, furnishing or equipping a riverfront amphitheater, a destination playscape, an education center and indoor renovations at exploration place in Wichita, Kansas, all sales of tangible personal property or services purchased by Kansas children's discovery center inc. in Topeka, Kansas, and which such property and services are used for the purpose of constructing, remodeling, furnishing or equipping projects that include indoor-outdoor classrooms, an expanded multi-media gallery, a workshop and loading dock and safety upgrades such as a tornado shelter, lactation room, first aid room and sensory room and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, remodeling, furnishing or equipping such projects, for such organizations, that would be exempt from taxation under the provisions of this section if purchased directly by such organizations. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, remodeling, furnishing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing, remodeling, furnishing or equipping such projects, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization shall be liable for tax on all materials purchased for the project, and upon payment thereof may recover the same from the contractor together with reasonable attorney fees. Any contractor or agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2024, but prior to the effective date of this act, upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and

submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee. The provisions of this subsection shall expire and have no effect on and after December 31, 2030;

(uuuu) (1) (A) all sales of equipment, machinery, software, ancillary components, appurtenances, accessories or other infrastructure purchased for use in the provision of communications services; and

(B) all services purchased by a provider in the provision of the communications service used in the repair, maintenance or installation in such communications service.

(2) As used in this subsection:

(A) "Communications service" means internet access service, telecommunications service, video service or any combination thereof.

(B) "Equipment, machinery, software, ancillary components, appurtenances, accessories or other infrastructure" includes, but is not limited to:

(i) Wires, cables, fiber, conduits, antennas, poles, switches, routers, amplifiers, rectifiers, repeaters, receivers, multiplexers, duplexers, transmitters, circuit cards, insulating and protective materials and cases, power equipment, backup power equipment, diagnostic equipment, storage devices, modems, cable modem termination systems and servers;

(ii) other general central office or headend equipment, such as channel cards, frames and cabinets;

(iii) equipment used in successor technologies, including items used to monitor, test, maintain, enable or facilitate qualifying equipment, machinery, software, ancillary components, appurtenances and accessories; and

(iv) other infrastructure that is used in whole or in part to provide communications services, including broadcasting, distributing, sending, receiving, storing, transmitting, retransmitting, amplifying, switching, providing connectivity for or routing communications services.

(C) "Internet access service" means the same as internet access as defined in section 1105 of the internet tax freedom act amendments of 2007, public law 110-108.

(D) "Provider" means a person or entity that sells communications service, including an affiliate or subsidiary.

(E) "Telecommunications service" means the same as defined in K.S.A. 79-3602, and amendments thereto.

(F) "Video service" means the same as defined in K.S.A. 12-2022, and amendments thereto.

(3) The provisions of this subsection shall expire and have no effect on and after July 1, 2029; and

(vvvv) (1) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a building that is operated by, or is intended to be operated by, the Kansas fairgrounds foundation, a not-for-profit corporation exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and located on the grounds of the Kansas state

fair, and such tangible personal property would be exempt from taxation under the provisions of this paragraph if purchased directly by such eligible not-for-profit corporation. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a building for such eligible not-for-profit corporation. When such eligible not-for-profit corporation contracts for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a building, such corporation shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and such contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering such purchases bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such eligible not-for-profit corporation a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or returned for credit, the contractor shall report and pay the sales or compensating tax to the director of taxation not later than the 20th day of the month following the close of the month in which it is determined that such materials will not be used for the purpose for which such certificate was issued. The eligible not-for-profit corporation concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof, the eligible not-for-profit corporation may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto.

(2) Sales tax paid on and after May 19, 2023, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee."

Also on page 2, in line 29, by striking "40-2,125 is" and inserting "12-199 and K.S.A. 2023 Supp. 79-3602, 79-3602c and 79-3606 are"; in line 31, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking "'person'" and inserting "sales and compensating use tax";

relating to motor vehicles; providing for a deduction for calculating tax owed when selling a motor vehicle that is purchased within 120 days of the sale of another vehicle; providing an exemption for certain purchases by disabled veterans of the armed forces of the United States; excluding manufacturers' coupons from the sales or selling price; providing exemptions for custom meat processing services, purchases for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf, certain purchases by doorstep inc., exploration place, inc., Kansas children's discovery center, inc. and the Kansas fairgrounds foundation; providing for a sales tax exemption for sales of property and services used in the provision of communications services"; also in line 3, by striking "40-2,125" and inserting "12-199 and K.S.A. 2023 Supp. 79-3602 and 79-3606"; also in line 3, by striking "section" and inserting "sections; also repealing K.S.A. 2023 Supp. 79-3602c";

And your committee on conference recommends the adoption of this report.

CARYN TYSON
VIRGIL PECK
TOM HOLLAND

Conferees on part of Senate

ADAM SMITH
BRIAN BERGKAMP
TOM SAWYER

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2098**.

On roll call, the vote was: Yeas 34; Nays 1; Present and Passing 2; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

Present and Passing: Longbine, Reddi.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2105** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 9 through 32;

By striking all on pages 2 through 16;

On page 17, by striking all in lines 1 through 40; following line 40 by inserting:

"Section 1. (a) No postsecondary educational institution shall condition admission

or educational aid to an applicant for admission, hiring an applicant for employment or hiring, reappointing or promoting a faculty member, on the applicant's or faculty member's pledging allegiance to or making a statement of personal support for or opposition to any political ideology or movement, including a pledge or statement regarding diversity, equity or inclusion, or to request or require any such pledge or statement from an applicant or faculty member.

(b) If a postsecondary educational institution receives a pledge or statement describing a commitment to any particular political ideology or movement, including a pledge or statement regarding diversity, equity or inclusion, such institution may not grant or deny admission or educational aid to a student, hire an applicant for employment or hire, reappoint or promote a faculty member, on the basis of the viewpoints expressed in the pledge or statement.

(c) Nothing in this section shall:

(1) Prohibit such institution from requiring a student, faculty member or employee to comply with federal or state law, including antidiscrimination laws, or from taking action against a student, faculty member or employee for violations of federal or state law;

(2) be construed to limit or restrict the academic freedom of faculty or to prevent faculty members from teaching, researching or writing publications about diversity, equity, inclusion or other topics; or

(3) prohibit such institution from considering, in good faith, a faculty member's scholarship, teaching or subject-matter expertise in such faculty member's academic field.

(d) Each institution shall post and make publicly available on such institution's website all training materials used for students, faculty and staff on all matters of nondiscrimination, diversity, equity, inclusion, race, ethnicity, sex or bias and all of such institution's policies and guidance on such matters.

(e) Any person who believes their rights were violated through a violation of this section may file a complaint with the state board of regents. The board shall investigate the complaint to determine whether a violation of this section has occurred. Such investigation shall be complete within 45 days after the date of the receipt of the complaint. If the board determines, after investigation, that a postsecondary educational institution has violated this section, the institution shall remedy the violation within 90 days after the date of such determination. If the institution fails to remedy the violation within 90 days, the board shall report the matter to the attorney general, who may file an action in district court against the institution for declaratory relief or enjoin the violation.

(f) If the board determines, after investigation, that the institution has not violated this section, the person who believes their rights were violated may file a complaint with the attorney general, who shall investigate the complaint to determine whether a violation of this section has occurred. Such investigation shall be complete within 45 days after the date of the receipt of the complaint. If the attorney general determines, after an investigation, that a postsecondary educational institution has violated this section, the institution shall remedy the violation within 90 days after the date of such determination. If the institution fails to remedy the violation within 90 days, the attorney general may file an action in district court against the institution for declaratory relief or to enjoin the violation.

(g) An action under this section shall be filed in the district court of the county where the postsecondary educational institution's primary campus is located. The district court of any county shall have jurisdiction to enforce any order or finding of violation. If the district court finds that a postsecondary educational institution has violated this section, the district court shall enter an order:

- (1) Requiring the institution to comply with this section;
- (2) imposing a civil penalty in an amount of not more than \$10,000 for each violation; and
- (3) requiring the institution to pay the attorney general's expenses and costs incurred in enforcing the violation, if the court finds that the institution's violation was not made in good faith and was made without a reasonable basis in fact or law.

(h) Notwithstanding the provisions of K.S.A. 20-350, and amendments thereto, any civil penalty assessed by the district court shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state board of regents state scholarship program account of the state general fund.

(i) On or before January 12, 2026, and the first day of each regular session of the legislature thereafter, the state board of regents shall submit a report to the legislature on the following matters that occurred in the previous fiscal year: Number of complaints filed with the state board of regents; outcomes of the board's investigations; number of complaints filed with the attorney general; outcomes of the attorney general's investigations; number of cases filed in district court; outcome of the cases filed; number and dollar amounts of civil penalties; enforcement expenses and costs of the attorney general; and any other information concerning violations of this section deemed pertinent by the board.

(j) Within 10 days after a determination by the board on whether a violation of this section has occurred, the board shall post on the board's website the findings and outcomes of the investigation and determination on each complaint filed. Such post shall not contain any personal identifiable information concerning the complainant.

(k) If a postsecondary educational institution, or any of such institution's agent acting within such agent's official capacity, are found by a court or the institution to have violated this section, the institution may take disciplinary action against the responsible agents in accordance with the institution's policies and procedures.

(l) As used in this section, "postsecondary educational institution" means any public university, municipal university, community college and technical college and includes any entity resulting from the consolidation or affiliation of any two or more of such postsecondary educational institutions.

(m) If any provision of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared to be severable.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 5; in line 6, by striking all before the period and inserting "concerning postsecondary educational institutions; prohibiting such institutions from certain actions concerning diversity, equity or inclusion, exceptions; providing for civil remedies and penalties; submitting a report to the legislature; posting information on the state board

of regents website";

And your committee on conference recommends the adoption of this report.

RICK BILLINGER

JR CLAEYS

PAT PETTEY

Conferees on part of Senate

STEVEN HOWE

CLARKE SANDERS

BRANDON WOODARD

Conferees on part of House

Senator Claeys moved the Senate adopt the Conference Committee Report on **HB 2105**.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2144** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2144 with Senate Committee of the Whole amendments, as follows:

On page 1, following line 12, by inserting:

"New Section 1. (a) Encouraging suicide is knowingly encouraging another person to commit or attempt to commit suicide when the person knows that such other person has communicated a desire to commit suicide and such encouragement:

(1) Is made proximate in time to the other person committing or attempting to commit suicide; and

(2) substantially influences the other person's decision or methods used to commit or attempt to commit suicide.

(b) Encouraging suicide is a:

(1) Severity level 5, person felony if the other person attempts to commit suicide; and

(2) severity level 4, person felony if the other person commits suicide.

(c) As used in this section:

(1) "Attempt to commit suicide" means any physical action done by a person with the intent to commit suicide; and

(2) "encouraging a person to commit or attempt to commit suicide" means oral, written or visual communication that is persuasive or intended to be persuasive and that

gives advice to commit suicide, attempt to commit suicide or develop a plan to commit suicide.

(d) This section shall be a part of and supplemental to the Kansas criminal code.";

Also on page 1, in line 16, by striking all after "(1)"; by striking all in lines 17 and 18; in line 19, by striking "(2)"; also in line 19, after "to" by inserting ":

(A)";

Also on page 1, in line 21, by striking "\$3,000" and inserting "\$5,000"; in line 22, after the semicolon by inserting "or"; in line 23, by striking all before take and inserting "(B)"; in line 24, by striking "\$3,000" and inserting "\$5,000"; in line 27, by striking "(4)" and inserting "(2)"; in line 29, by striking "paragraphs" and inserting "paragraph"; also in line 29, by striking "through (3)"; in line 32, by striking "\$3,000" and inserting "\$5,000"; also in line 32, by striking "\$15,000" and inserting "\$25,000"; also in line 32, by striking "5" and inserting "6"; by striking all in line 33; in line 35, by striking all before "is" and inserting "at least \$25,000 but less than \$100,000"; also in line 35, by striking "4" and inserting "5"; also in line 35, after "felony" by inserting ";

(3) involving merchandise with an aggregate retail market value of \$100,000 or more is a severity level 4, nonperson felony";

On page 2, by striking all in lines 17 through 43;

On page 3, by striking all in lines 1 through 41;

On page 6, in line 2, by striking "1" and inserting "2";

On page 9, in line 22, by striking "1" and inserting "2"; in line 26, by striking "and"; in line 34, by striking "21-5801 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking the first "crime" and inserting "crimes"; also in line 2, after "of" by inserting "encouraging suicide and"; in line 3, by striking all after the first semicolon; in line 4, by striking all before "relating"; in line 9, by striking "21-5801 and";

And your committee on conference recommends the adoption of this report.

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

SUSAN HUMPHRIES

BOB LEWIS

DAN OSMAN

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **S Sub HB 2144**.

On roll call, the vote was: Yeas 32; Nays 4; Present and Passing 1; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Haley, Holland, Reddi, Ware.
Present and Passing: Faust-Goudeau.
Absent or Not Voting: Claeys, O'Shea, Ryckman.
The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2176** submits the following report:

The Senate recedes from all of its Committee of the Whole amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 2, in line 6, after the period by inserting "Each member shall be a resident of the library district.";

On page 6, in line 15, after the period by inserting "Each member shall be a resident of the library district.";

On page 9, following line 42, by inserting:

"New Sec. 17. Sections 17 through 23, and amendments thereto, shall be known and may be cited as the Dwayne Peaslee technical training center district act.

New Sec. 18. As used in sections 17 through 23, and amendments thereto:

(a) "Board" means the board of directors of the Dwayne Peaslee technical training center district; and

(b) "district" means the Dwayne Peaslee technical training center district, which includes all territory located in Douglas county.

New Sec. 19. (a) The board of county commissioners of Douglas county may submit the question of the creation of the Dwayne Peaslee technical training center district to the voters of the county at any primary election or general election or at a special election called and held in accordance with provisions of K.S.A. 10-120, and amendments thereto. Upon the adoption of a resolution calling for an election pursuant to this section, the county election officer shall cause the following proposition to be placed on the ballot at the election called for that purpose: "Shall a Dwayne Peaslee Technical Training Center district be established and authorized to levy a tax not to exceed 0.5 mills on all taxable tangible property located in the district to fund the budget of the Dwayne Peaslee Technical Training Center as determined by the board of directors of the district?"

(b) If the question of establishing the district is approved by a majority of those voting on the issue, the existing board of directors of the Dwayne Peaslee technical training center shall be dissolved. The board of county commissioners by resolution shall establish the first board of directors of the district to include a seven-member board, the criteria for serving on the board and term of office for members of the first board.

(c) Once appointed, the district board shall select board officers and the method of selection and the term of office for future board members.

New Sec. 20. All contracts previously entered into by the Dwayne Peaslee technical training center shall be binding on the district, and all outstanding bonds, debts and other obligations of the center shall become an obligation of the district.

New Sec. 21. (a) Each year the board of directors shall meet and organize by the election of a chairperson, secretary and treasurer and such other officers as the board

may deem necessary by a majority vote. The board shall fix the date and place of its regular meetings. Special meetings may be called by the chairperson or a majority vote of the district board. Written notice stating the time, place and purpose of any special meeting, unless waived, shall be given to each director at least two days prior to such meeting, and no business other than that stated in the notice shall be transacted at such meeting. The district board may adopt such bylaws as the board may deem appropriate, consistent with the provisions of this act.

(b) The treasurer shall give bond, in an amount fixed by the board. The bond shall be filed with the Douglas county clerk. The treasurer shall pay out the funds on orders of the board, signed by the chairperson and secretary of the board. The treasurer shall keep an accurate record of all moneys received and disbursed thereby and make a monthly report thereof to the board, or as often as the board requires.

New Sec. 22. The district shall constitute a body corporate and politic and shall have the power to:

- (a) Enter into contracts;
- (b) sue and be sued;
- (c) acquire, hold and convey real and personal property;
- (d) make and adopt rules and regulations for the administration of the district;
- (e) lease a site or sites and lease a building or buildings for district purposes;
- (f) acquire material and equipment deemed necessary by the board for the maintenance and extension of the technical training center;
- (g) employ such persons as the board deems necessary;
- (h) receive, accept and administer any moneys appropriated or granted to it by the state, the federal government or private industry;
- (i) receive and accept any gift or donation to the district and administer the same in accordance with any provisions thereof; and
- (j) make annual reports to the board of county commissioners of Douglas county, on or before January 31 of each year for the preceding calendar year, showing receipts and disbursements from all funds under its control and showing such statistical information relating to students served and programs offered.

New Sec. 23. (a) The district board shall prepare and publish an annual budget for the maintenance and support of the district in accordance with the provisions of K.S.A. 79-2925 et seq., and amendments thereto.

(b) The board is authorized to levy a tax of not to exceed 0.5 mills on all taxable tangible property in the district to fund the budget as determined by the district board. The tax shall be levied and collected in like manner as other taxes and shall be kept by the district in a separate fund. The tax levy shall not be considered a tax levy of Douglas county or the city of Lawrence.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "library" and inserting "taxing"; in line 3, after the first semicolon by inserting "creating the Dwayne Peaslee technical training center district act;"; also in line 3, by striking "district" and inserting "districts"; in line 4, after the semicolon by inserting "limiting the tax levy for the Dwayne Peaslee technical training center district to not exceed 0.5 mills on the tangible taxable property of the district;";

And your committee on conference recommends the adoption of this report.

CAROLYN MCGINN

ELAINE BOWERS

MARCI FRANCISCO

Conferees on part of Senate

ADAM SMITH

BRIAN BERGKAMP

TOM SAWYER

Conferees on part of House

Senator McGinn moved the Senate adopt the Conference Committee Report on **HB 2176**.

On roll call, the vote was: Yeas 32; Nays 5; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Billinger, Bowers, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Blasi, Erickson, Shallenburger, Tyson.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2465** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 17 through 34; by striking all in pages 2 through 14; on page 15, by striking all in lines 1 through 18; following line 18, by inserting:

"New Section 1. The provisions of sections 1 through 7, and amendments thereto, shall be known and may be cited as the adoption savings account act.

New Sec. 2. As used in this act:

- (a) "Act" means the adoption savings account act.
- (b) "Account" or "adoption savings account" means an individual savings account established in accordance with the provisions of this act.
- (c) "Account holder" means an individual who establishes an account that is designated as an adoption savings account pursuant to the provisions of section 3, and amendments thereto, with a financial institution.
- (d) "Designated beneficiary" means the individual designated by an account holder pursuant to the provisions of section 3, and amendments thereto, as the individual whose eligible expenses are expected to be paid from the account for the adoption of a child.

(e) "Eligible expenses" means:

- (1) Reasonable fees for legal and other professional services rendered in connection with an adoption or placement for adoption not to exceed customary fees for similar services by professionals of equivalent experience and reputation where the services are performed;

(2) reasonable fees of a licensed child-placing agency;
 (3) actual and necessary expenses incidental to the adoption or placement proceeding;

(4) actual medical expenses of the mother attributable to pregnancy and birth;
 (5) actual medical expenses of the child; and
 (6) reasonable living expenses of the mother that are incurred during or as a result of the pregnancy.

(f) "Financial institution" means any state or federally chartered bank, trust company, savings and loan association or credit union that is:

(1) Authorized to do business in this state; and
 (2) insured by the federal deposit insurance corporation or the national credit union administration.

(g) "Secretary" means the secretary of revenue.

New Sec. 3. (a) On and after July 1, 2025, any individual may open an account with a financial institution and designate the account, in its entirety, as an adoption savings account to be used to pay or reimburse a designated beneficiary's eligible expenses for the adoption of a child. An individual may be the account holder of multiple accounts and an individual may jointly own the account with another individual if such individuals file a joint income tax return. An account holder shall comply with the requirements of this act to be eligible for the modifications set forth in K.S.A. 79-32,117, and amendments thereto.

(b) (1) An account holder shall designate, not later than April 15 of the year following the taxable year during which the account is established, a prospective adoptive parent as the designated beneficiary of the account. Nothing in this section shall prohibit an account holder from designating such account holder as the designated beneficiary of an account. An account holder may change the designated beneficiary at any time, but no account shall have more than one designated beneficiary at any time. An individual may be designated as the designated beneficiary of more than one account if such accounts are held by separate account holders. No account holder shall be authorized to designate the same designated beneficiary on multiple accounts held by such account owner, except when opening certificates of deposit.

(2) The naming of a designated beneficiary shall not create a survivorship interest in the account for such designated beneficiary. In the event of the death of an account holder, the balance of such account shall be paid to the payable on death beneficiary in accordance with K.S.A. 9-1215, and amendments thereto, or, in the absence of a named payable on death beneficiary, in accordance with the provisions of the Kansas probate code.

(c) (1) The following limits apply to an account established pursuant to this act:

(A) The maximum contribution to an account in any tax year shall be \$6,000 for an individual and \$12,000 for a married couple filing a joint return;

(B) the maximum amount of all contributions into an account in all tax years shall be \$48,000 for an individual and \$96,000 for a married couple filing a joint return; and

(C) the maximum total amount in an account shall be \$100,000.

(2) If a limit in paragraph (1) is exceeded, then thereafter all interest or other income earned on the investment of moneys in an account shall be subject to the tax imposed by the Kansas income tax act.

(3) Moneys may remain in an account for an unlimited duration without the interest

or income being subject to recapture or penalty.

(d) The account holder shall not use moneys in an account to pay expenses of administering the account, except that a service fee may be deducted from the account by a financial institution. The account holder shall be responsible for maintaining documentation for the account and for eligible expenses related to the designated beneficiary's adoption of a child.

New Sec. 4. (a) The moneys in an adoption savings account may be:

- (1) Used for eligible expenses related to a designated beneficiary's adoption of a child;
- (2) used for eligible expenses that would have qualified pursuant to paragraph (1) but the adoption was not completed;
- (3) transferred to another newly created account;
- (4) invested in certificates of deposit opened and designated as adoption savings accounts; and
- (5) used to pay service fees assessed by the financial institution.

(b) Moneys withdrawn from an account shall be subject to recapture by the secretary in the tax year in which they were withdrawn if:

- (1) At the time of the withdrawal, it has been less than a year since the first deposit in the account; or
- (2) the moneys are used for any purpose other than the expenses or transactions authorized pursuant to subsection (a)(1).

(c) Moneys that are subject to recapture shall be an amount equal to the moneys withdrawn from an account and shall be added to the Kansas adjusted gross income pursuant to K.S.A. 79-32,117(b), and amendments thereto, of the account holder or, if the account holder is no longer living, the designated beneficiary. If any moneys are subject to recapture, the account holder shall pay a penalty in the following amounts:

- (1) If the withdrawal of moneys occurred 10 or less years after the first deposit in the account, 5% of the amount subject to recapture; and
- (2) if the withdrawal of moneys occurred more than 10 years after the first deposit in the account, 10% of the amount subject to recapture.

(d) The penalties provided in subsection (c) shall not apply if the withdrawn moneys are from an account after the death of the designated beneficiary, and the account holder did not designate a new designated beneficiary during the same tax year.

(e) If the account holder dies or, if the account is jointly owned and the account owners die, and the account does not have a surviving payable on death beneficiary, then all of the moneys in the account resulting from contributions or income earned from assets in the account shall be subject to recapture in the tax year of the death or deaths pursuant to K.S.A. 79-32,117, and amendments thereto, but no penalty shall be assessed pursuant to subsection (c).

New Sec. 5. (a) The secretary shall establish forms for an account holder to annually report information about any accounts held by such account holder. An account holder shall annually file with the account holder's state income tax return all forms required by the secretary under this section, the form 1099 for the account issued by the financial institution and any other supporting documentation the secretary requires.

(b) Prior to July 1, 2025, the secretary shall adopt rules and regulations necessary to administer the provisions of this act.

New Sec. 6. (a) No financial institution shall be required to:

(1) Designate an account as an adoption savings account or designate the beneficiaries of an account in the financial institution's account contracts or systems or in any other way;

(2) track the use of moneys withdrawn from an account; or

(3) report any information to the department of revenue or any other governmental agency that is not otherwise required by law.

(b) No financial institution shall be responsible or liable for:

(1) Determining or ensuring that an account holder is eligible for a Kansas adjusted gross income modification pursuant to K.S.A. 79-32,117, and amendments thereto;

(2) determining or ensuring that moneys in the account are used for eligible expenses; or

(3) reporting or remitting taxes or penalties related to the use of account moneys.

(c) A financial institution may rely on such financial institution's account records for determining a payable on death beneficiary for an adoption savings account. If the payable on death beneficiary in a financial institution's account records conflicts with the designated beneficiary on any form required by the secretary pursuant to this act, the payable on death beneficiary in such financial institution's account records shall control.

New Sec. 7. The state treasurer may have nonexclusive authority to market the adoption savings account program to account holders and financial institutions throughout the state and may report on the marketing initiatives in the state treasurer's office annual report.

New Sec. 8. (a) This section shall be known and may be cited as the pregnancy resource act.

(b) As used in this section:

(1) "Eligible charitable organization" means an organization that is:

(A) Exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(B) a nonprofit organization organized under the laws of this state; and

(C) (i) a member of an organization whose members are pregnancy centers or residential maternity care facilities based in the state; or

(ii) a pregnancy center or residential maternity facility that:

(a) Maintains a dedicated phone number for clients;

(b) maintains in this state its primary physical office, clinic or residential home that is open for clients for a minimum of 20 hours a week, excluding state holidays;

(c) offers services, at no cost to the client, for the express purpose of providing assistance to women in order to carry their pregnancy to term, encourage parenting or adoption, prevent abortion and promote healthy childbirth; and

(d) utilizes trained healthcare providers to perform any available medical procedures.

(2) "Healthcare provider" means an individual licensed, registered or certified by the:

(A) State board of healing arts;

(B) board of nursing; or

(C) behavioral sciences regulatory board.

(c) (1) For taxable years commencing after December 31, 2023, a credit shall be allowed against the income, privilege or premium tax liability imposed upon a taxpayer

pursuant to the Kansas income tax act, the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, in an amount equal to 70% of the total amount contributed during the taxable year by a taxpayer to an eligible charitable organization.

(2) A contribution for which a credit is claimed must be a voluntary contribution and shall not be a payment for services rendered.

(3) If the amount of such tax credit exceeds the taxpayer's tax liability for such tax year, the taxpayer may carry over the amount that exceeds such tax liability for deduction from the taxpayer's liability in the next succeeding tax year or years until the total amount of the tax credit has been deducted from tax liability, except that no such tax credit shall be carried over for deduction after the fifth tax year succeeding the tax year in which the contribution was made.

(4) In no event shall the total amount of credits allowed under this section for contributions to a single eligible charitable organization exceed \$5,000,000 per tax year.

(5) The aggregate amount of credits claimed pursuant to this section shall not exceed \$10,000,000 per tax year.

(d) Taxpayers claiming a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department of revenue on forms provided by the department.

(e) An eligible charitable organization shall provide the department with a written certification pursuant to subsection (f) that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(f) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(1) Verification of the organization's status under section 501(c)(3) of the federal internal revenue code of 1986;

(2) a statement that the organization does not provide, pay for, refer for or provide coverage of abortions and does not financially support, partner with or affiliate with any other entity that provides, pays for, refers for or provides coverage of abortions, including nonsurgical abortions and abortifacients;

(3) a statement that the organization maintains its principal office or presence in this state and that at least 50% of its clients claim to be residents of this state; and

(4) any other information that the department requires to administer this section.

(g) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(h) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed agreement.

(i) Prior to claiming any credit on a return, a taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within 30 days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. If the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a tax year, the department shall so notify the applicant within 30 days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than 90 days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation.

Sec. 9. K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same

proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through

79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before

January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(xxix) For all taxable years beginning after December 31, 2024, the amount of any contributions to, or earnings from, an adoption savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to section 4, and amendments thereto, or were not held for the minimum length of time required pursuant to section 4, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to section 4(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority,

commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing

separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(xxix) For all taxable years beginning after December 31, 2024: (1) The amount contributed to an adoption savings account pursuant to section 3, and amendments thereto, in an amount not to exceed \$6,000 for an individual or \$12,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in an adoption savings account.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 10. K.S.A. 79-32,202a is hereby amended to read as follows: 79-32,202a. (a) (1) Commencing in For tax year years 2014, and all tax years thereafter through 2023, and in addition to the credit provided in subsection (b), there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to: ~~(1)(A)~~ 25% of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to section 23 of the federal internal revenue code determined without regard to subsection (c) of such section; ~~(2)(B)~~ in addition to subsection (a)(1)(A), 25% of the amount of such federal income tax credit, if the child adopted by the taxpayer was a resident of Kansas prior to such lawful adoption; and ~~(3)(C)~~ in addition to subsections (a)(1)(A) and ~~(a)(2)(a)(1)(B)~~, 25% of the amount of such federal income tax credit, if the child adopted by the taxpayer is a child with special needs, as defined in section 23 of the federal internal revenue code,

and the child was a resident of Kansas prior to such lawful adoption, for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(2) For tax year 2024, and all tax years thereafter, and in addition to the credit provided in subsection (b), there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to 100% of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to section 23 of the federal internal revenue code determined without regard to subsection (c) of such section for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

~~(b) Commencing in~~ For tax year 2014, and all tax years thereafter, there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to \$1,500 for the taxable year in which occurs the lawful adoption of a child in the custody of the secretary for children and families or a child with special needs, whether or not such individual is reimbursed for all or part of qualified adoption expenses or has received a public or private grant therefor. As used in this subsection, terms and phrases shall have the meanings ascribed thereto by the provisions of section 23 of the federal internal revenue code.

(c) The credit allowed by subsections (a) and (b) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law. If the amount of such tax credit exceeds the taxpayer's income tax liability for such taxable year, the amount thereof ~~which that~~ exceeds such tax liability may be carried over for deduction from the taxpayer's income tax liability in the next succeeding taxable year or years until the total amount of the tax credits has been deducted from tax liability.

Sec. 11. K.S.A. 2023 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be

used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, and multi community diversified services, incorporated, located in McPherson, Kansas;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from

whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards

for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number

for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or 19-3545, and amendments thereto, which property or services are used in the

construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, "severing" means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" mean the same as defined in K.S.A. 74-50,114, and

amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee

County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing,

poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used to:

(A) Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) guide, control or direct the movement of property undergoing manufacturing or processing;

(E) test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the

site of the plant or facility to that manufacturer's production operations;

(J) cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this

subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such

organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations

of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the

director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing

in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a

meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the

contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may

purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been

returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials

purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization

concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the

month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are

used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment

for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of

the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. For the purposes of this subsection, "bullion" means bars, ingots or

commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form;

(nnnn) all sales of tangible personal property or services purchased by friends of hospice of Jefferson county, an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing support to the Jefferson county hospice agency in end-of-life care of Jefferson county families, friends and neighbors, and all sales of entry or participation fees, charges or tickets by friends of hospice of Jefferson county for such organization's fundraising event for such purpose;

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in K.S.A. 2023 Supp. 74-50,312 and 74-50,319, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce, and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "qualified business facility," "qualified firm" and "qualified supplier" mean the same as defined in K.S.A. 2023 Supp. 74-50,311, and amendments thereto;

(pppp) (1) all sales of tangible personal property or services purchased by a not-for-profit corporation that is designated as an area agency on aging by the secretary for aging and disabilities services and is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code for the purpose of coordinating and providing seniors and those living with disabilities with services that promote person-centered care, including home-delivered meals, congregate meal settings, long-term case management, transportation, information, assistance and other preventative and intervention services to help service recipients remain in their homes and communities or for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for such area agency on aging; and

(2) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging that would be exempt from taxation under the provisions of this section if purchased directly by such area agency on aging. Nothing in this paragraph shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging. When an area agency on aging contracts for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and such contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such area agency on aging a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the area agency on aging concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof, the area agency on aging may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto; ~~and~~

(qqqq) all sales of tangible personal property or services purchased by Kansas suicide prevention HQ, inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of bringing suicide prevention training and awareness to communities across the state; ~~and~~

(rrrr) (1) All sales of tangible personal property or services purchased by a pregnancy resource center or residential maternity facility.

(2) As used in this subsection, "pregnancy resource center" or "residential maternity facility" means an organization that is:

(A) Exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(B) a nonprofit organization organized under the laws of this state; and

(C) a pregnancy resource center or residential maternity facility that:

- (i) Maintains a dedicated phone number for clients;
- (ii) maintains in this state its primary physical office, clinic or residential home that is open for clients for a minimum of 20 hours per week, excluding state holidays;
- (iii) offers services, at no cost to the client, for the express purpose of providing assistance to women in order to carry their pregnancy to term, encourage parenting or adoption, prevent abortion and promote healthy childbirth; and
- (iv) utilizes trained healthcare providers, as defined by section 8, and amendments thereto, to perform any available medical procedures.

Sec. 12. K.S.A. 79-32,202a and K.S.A. 2023 Supp. 79-32,117 and 79-3606 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "to"; by striking all in lines 2 through 13; in line 14, by striking "79-4508a" and inserting "adoption expenses; enacting the adoption savings account act; allowing individuals to establish adoption savings accounts with certain financial institutions; providing eligible expenses, requirements and restrictions for such accounts; requiring the secretary of revenue to adopt certain rules and regulations; granting nonexclusive marketing authority to the state treasurer; establishing addition and subtraction modifications for contributions to such accounts under the Kansas income tax act; increasing the income tax credit amount for adoption expenses; relating to pregnancy resource centers and residential maternity facilities; establishing an income, privilege and premium tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities; providing for a sales tax exemption for purchases by pregnancy resource centers and residential maternity facilities; amending K.S.A. 79-32,202a and K.S.A. 2023 Supp. 79-32,117 and 79-3606";

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

ADAM SMITH

BRIAN BERGKAMP

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2465**.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2501** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 6 through 10; following line 10, by inserting:

"Section 1. (a) Railroads operating within Kansas are required to maintain minimum distances from the near-edge of railroad crossings to railroad rolling stock stored on sidings if such railroad crossing does not have electronic warning signals. The minimum distance for the storage of railroad rolling stock from the near-edge of railroad crossings shall be 250 feet unless the department of transportation determines a lesser or greater distance is necessary at a particular location and permits or orders a railroad to maintain the lesser or greater distance. If physical conditions require the use of a track temporarily or minimum distances for the storage of railroad rolling stock cannot be obtained, then the provisions of this subsection shall not apply to:

(1) Cars placed for loading or unloading or awaiting removal after loading or unloading; or

(2) bad order cars set out from trains.

(b) The provisions of this section do not apply to rolling stock stored on yard tracks unless the department of transportation orders otherwise.

(c) As used in this section, "rolling stock" means rolling stock not used for the pickup or delivery of freight and where the placement on a railroad-owned siding by a railroad is for the sole convenience of the railroad.";

Also on page 1, in line 12, by striking "Kansas register" and inserting "statute book";
And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "ACT"; by striking all in line 2; in line 3, by striking all before the period and inserting "concerning railroads; relating to the storage of rolling stock; providing a minimum distance for the storage of rolling stock near railroad crossings and exceptions therefor";

And your committee on conference recommends the adoption of this report.

MIKE PETERSEN

RICK KLOOS

ETHAN CORSON

Conferees on part of Senate

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2501**.

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 1; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos,

Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Doll.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2547** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 10, by inserting:

"Section 1. K.S.A. 21-5701 is hereby amended to read as follows: 21-5701. As used in K.S.A. 21-5701 through 21-5717, and amendments thereto:

(a) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

(b) (1) "Controlled substance analog" means a substance that is intended for human consumption, and at least one of the following:

(A) The chemical structure of the substance is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) the substance has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, such individual represents or intends the substance to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

(c) "Cultivate" means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.

(d) "Distribute" means the actual, constructive or attempted transfer from one person to another of some item whether or not there is an agency relationship. "Distribute" includes, but is not limited to, sale, offer for sale or any act that causes some item to be transferred from one person to another. "Distribute" does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act or

otherwise authorized by law.

(e) (1) "Drug" means:

(A) Substances recognized as drugs in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(B) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(C) substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

(D) substances intended for use as a component of any article specified in subparagraph (A), (B) or (C).

(2) "Drug" does not include devices or their components, parts or accessories.

(f) (1) "Drug paraphernalia" means all equipment and materials of any kind that are used, or primarily intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance and in violation of this act.

(2) "Drug paraphernalia" includes, but is not limited to:

(A) Kits used or intended for use in planting, propagating, cultivating, growing or harvesting any species of plant that is a controlled substance or from which a controlled substance can be derived;

(B) kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;

(C) isomerization devices used or intended for use in increasing the potency of any species of plant that is a controlled substance;

(D) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances;

(E) scales and balances used or intended for use in weighing or measuring controlled substances;

(F) diluents and adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose and lactose that are used or intended for use in cutting controlled substances;

(G) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;

(H) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;

(I) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;

(J) containers and other objects used or intended for use in storing or concealing controlled substances;

(K) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body;

(L) objects used or primarily intended or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, phencyclidine (PCP), methamphetamine or amphetamine into the human body, such as:

(i) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without

screens, permanent screens, hashish heads or punctured metal bowls;

(ii) water pipes, bongos or smoking pipes designed to draw smoke through water or another cooling device;

(iii) carburetion pipes, glass or other heat-resistant tubes or any other device used, intended to be used or designed to be used to cause vaporization of a controlled substance for inhalation;

(iv) smoking and carburetion masks;

(v) roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

(vi) miniature cocaine spoons and cocaine vials;

(vii) chamber smoking pipes;

(viii) carburetor smoking pipes;

(ix) electric smoking pipes;

(x) air-driven smoking pipes;

(xi) chillums;

(xii) bongos;

(xiii) ice pipes or chillers;

(xiv) any smoking pipe manufactured to disguise its intended purpose;

(xv) wired cigarette papers; or

(xvi) cocaine freebase kits.

(3) "Drug paraphernalia" does not include:

(A) Any products, chemicals or materials described in K.S.A. 21-5709(a), and amendments thereto; or

(B) any materials used or intended for use to test a substance for the presence of fentanyl, a fentanyl analog, ketamine or gamma hydroxybutyric acid.

(g) "Fentanyl-related controlled substance" means any substance designated in K.S.A. 65-4105(b)(1), (b)(2), (b)(4), (b)(10), (b)(11), (b)(12), ~~(b)(14)~~, (b)(15), (b)(16), (b)(17), (b)(20), (b)(21), ~~(b)(22)~~, ~~(b)(23)~~, (b)(24), (b)(26), (b)(27), (b)(28), (b)(35), ~~(b)(37)~~, ~~(b)(41)~~, (b)(42).

(b)(43), (b)(44), (b)(45), ~~(b)(46)~~, ~~(b)(47)~~, ~~(b)(49)~~, (b)(48), (b)(50), (b)(54), (b)(55), (b)(56),

(b)(57), (b)(58), (b)(59), ~~(b)(60)~~, ~~(b)(61)~~, ~~(b)(62)~~, (b)(68), (b)(70), (b)(71), (b)(72), (b)(73),

(b)(74), (b)(75), (b)(76), (b)(77), (b)(78), ~~(b)(79)~~, (b)(80), (b)(81), (b)(82), (b)(83), (b)(84),

(b)(85), (b)(91), (b)(97), (b)(98), (b)(99), (b)(103), (b)(104), (g)(1) or (g)(2) or 65-4107(c)(1),

(c)(6), (c)(9), (c)(26), (c)(28), (c)(30), (f)(3)(A) or (f)(3)(B), and amendments thereto, or any analog thereof.

(h) "Immediate precursor" means a substance that the state board of pharmacy has found to be and by rules and regulations designates as being the principal compound commonly used or produced primarily for use and that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

(i) "Isomer" means all enantiomers and diastereomers.

(j) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of or placing into pill or capsule form a controlled substance

either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis. "Manufacture" does not include:

(1) The preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

(A) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(B) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance; or

(2) the addition of diluents or adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose or lactose that are intended for use in cutting a controlled substance.

(k) "Marijuana" means all parts of all varieties of the plant Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. "Marijuana" does not include:

(1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil or cake or the sterilized seed of the plant that is incapable of germination;

(2) any substance listed in schedules II through V of the uniform controlled substances act;

(3) drug products approved by the United States food and drug administration as of the effective date of this act;

(4) cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol); or

(5) industrial hemp as defined in K.S.A. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(l) "Minor" means a person under 18 years of age.

(m) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative or preparation thereof that is chemically equivalent or identical with any of the substances referred to in paragraph (1) but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves and any salt, compound, isomer, derivative or preparation thereof that is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine.

(n) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. "Opiate" does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). "Opiate" does include its racemic and levorotatory forms.

(o) "Opium poppy" means the plant of the species *Papaver somniferum* l. except its seeds.

(p) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association or any other legal entity.

(q) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(r) "School property" means property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12. This definition shall not be construed as requiring that school be in session or that classes are actually being held at the time of the offense or that children must be present within the structure or on the property during the time of any alleged criminal act. If the structure or property meets the above definition, the actual use of that structure or property at the time alleged shall not be a defense to the crime charged or the sentence imposed.

(s) "Simulated controlled substance" means any product that identifies itself by a common name or slang term associated with a controlled substance and that indicates on its label or accompanying promotional material that the product simulates the effect of a controlled substance.";

On page 2, in line 23, before "A physician" by inserting "Any person who in good faith renders emergency care or treatment, without compensation, through the administration of emergency medication to an individual at school, on school property or at a school-sponsored event, and any school that employs or contracts such person shall not be held liable for any civil damages as a result of such care or administration or as a result of any act or failure to act in providing or arranging further medical treatment when the person acts as an ordinary reasonably prudent person would have acted under the same or similar circumstances.

(c)";

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

Also on page 2, following line 30, by inserting:

"Sec. 4. K.S.A. 2023 Supp. 65-4105 is hereby amended to read as follows: 65-4105. (a) The controlled substances listed in this section are included in schedule I and the number set forth opposite each drug or substance is the DEA controlled substances code that has been assigned to it.

(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

(1) Acetyl fentanyl

	(N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).....	9821
(2)	Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide).....	9815
(3)	Acetylmethadol.....	9601
(4)	Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide; acryloylfentanyl).....	9811
(5)	AH-7921 (3,4-dichloro-N-[1-dimethylamino)cyclohexylmethyl]benzamide).....	9551
(6)	Allylprodine.....	9602
(7)	Alphacetylmethadol.....	9603
	(except levo-alphacetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM)	
(8)	Alphameprodine.....	9604
(9)	Alphamethadol.....	9605
(10)	<u>Alpha'-methyl butyryl fentanyl (2-methyl-N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide).....</u>	<u>9864</u>
(11)	Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine).....	9814
(11) (12)	Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).....	9832
(12) (13)	Benzethidine.....	9606
(13) (14)	Betacetylmethadol.....	9607
(14) (15)	Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide).....	9830
(15) (16)	Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide).....	9831
(16) (17)	Beta-hydroxythiofentanyl (N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide).....	9836
(17) (18)	Betameprodine.....	9608
(18) (19)	Betamethadol.....	9609
(20)	<u>Beta-methyl fentanyl (N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)propionamide; also known as β-methyl fentanyl).....</u>	<u>9856</u>
(21)	<u>Beta'-phenyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N, 3-diphenylpropanamide; also known as β'-phenyl fentanyl; 3-phenylpropanoyl fentanyl).....</u>	<u>9842</u>
(19) (22)	Betaprodine.....	9611
(23)	<u>Brorphine (1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2H-benzo[d]imidazol-2-one).....</u>	<u>9098</u>
(20) (24)	Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide).....	9822
(21) (25)	Clonitazene.....	9612
(22) (26)	Crotonyl fentanyl ((E)-N-(1-phenethylpiperidin-4-yl)-N-phenylbut-2-enamide).....	9844
(23) (27)	Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide).....	9847
(24) (28)	Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-	

	phenylcyclopropanecarboxamide).....	9845
(25) (29)	Dextromoramide.....	9613
(26) (30)	Diampromide.....	9615
(27) (31)	Diethylthiambutene.....	9616
(28) (32)	Difenoxin.....	9168
(29) (33)	Dimenoxadol.....	9617
(30) (34)	Dimepheptanol.....	9618
(31) (35)	<u>2',5'-Dimethoxyfentanyl (N-(1-(2,5-dimethoxyphenethyl)piperidin-4-yl)-N-phenylpropionamide).....</u>	<u>9861</u>
(36)	Dimethylthiambutene.....	9619
(32) (37)	Dioxaphetyl butyrate.....	9621
(33) (38)	Dipipanone.....	9622
(34) (39)	Ethylmethylthiambutene.....	9623
(35) (40)	Etonitazene.....	9624
(36) (41)	Etoperidine.....	9625
(37) (42)	Fentanyl carbamate (ethyl (1-phenethylpiperidin-4-yl)(phenyl)carbamate)	<u>9851</u>
(43)	<u>2'-Fluoro ortho-fluorofentanyl (N-(1-(2-fluorophenethyl)piperidin-4-yl)-N-(2-fluorophenyl)propionamide; also known as 2'-fluoro 2-fluorofentanyl).....</u>	<u>9855</u>
(44)	Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide).....	9834
(38) (45)	<u>3-Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-3-carboxamide).....</u>	<u>9860</u>
(46)	Furethidine.....	9626
(39) (47)	Hydroxypethidine.....	9627
(40) (48)	<u>Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide).....</u>	<u>9827</u>
(49)	Isotonitazene (N,N-diethyl-2-(2-(4 isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine; N,N-diethyl-2-[[4-(1-methylethoxy)phenyl]methyl]-5-nitro-1 H-benzimidazole-1-ethanamine)	9614
(41)	<u>Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide).....</u>	<u>9827</u>
(42) (50)	<u>Isovaleryl fentanyl (3-methyl- N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide).....</u>	<u>9862</u>
(51)	Ketobemidone.....	9628
(43) (52)	Levomoramide.....	9629
(44) (53)	Levophenacilmorphan.....	9631
(45) (54)	<u>Meta -Fluorofentanyl (N-(3-fluorophenyl)- N-(1-phenethylpiperidin-4-yl)propionamide).....</u>	<u>9857</u>
(55)	<u>Meta -Fluoroisobutyryl fentanyl (N-(3-fluorophenyl)- N-(1-phenethylpiperidin-4-yl)isobutyramide).....</u>	<u>9858</u>
(56)	Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).....	9825
(57)	<u>4'-Methyl acetyl fentanyl (N-(1-(4-methylphenethyl)piperidin-4-yl)-N-phenylacetamide).....</u>	<u>9819</u>

(46)(58)	3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide).....	9813
(47)(59)	3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide).....	9833
(60)	Metonitazene (N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine).....	9757
(48)(61)	Morpheridine.....	9632
(49)	Oefentanyl (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide).....	9838
(50)	O-desmethyltramadol Some trade or other names: 2-((dimethylamino)methyl-1-(3-hydroxyphenyl)cyclohexanol;3-(2-((dimethylamino)methyl)-1-hydroxycyclohexyl)phenol	
(51)(62)	MPPP (1-methyl-4-phenyl-4-propionoxypiperidine).....	9661
(52)(63)	MT-45 (1-cychohexyl-4-(1,2-diphenylethyl)piperazine).....	9560
(53)(64)	Noracymethadol.....	9633
(54)(65)	Norlevorphanol.....	9634
(55)(66)	Normethadone.....	9635
(56)(67)	Norpipanone.....	9636
(68)	Ocfentanyl (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide).....	9838
(69)	O-desmethyltramadol (Some trade or other names: 2-((dimethylamino)methyl-1-(3-hydroxyphenyl)cyclohexanol;3-(2-((dimethylamino)methyl)-1-hydroxycyclohexyl)phenol)	
(70)	Ortho-fluoroacryl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)acrylamide).....	9852
(71)	Ortho-fluorobutryl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide; also known as 2-fluorobutryl fentanyl).....	9846
(57)(72)	Ortho-fluorofentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide; 2-fluorofentanyl).....	9816
(73)	Ortho-Fluorofuranyl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide).....	9863
(74)	(Ortho-fluoroisobutryl fentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide).....	9853
(75)	Ortho-methyl acetylfentanyl (N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide; also known as 2-methyl acetylfentanyl).....	9848
(76)	Ortho-methyl methoxyacetyl fentanyl (2-methoxy-N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide; also known as 2-methyl methoxyacetyl fentanyl).....	9820
(58)(77)	Para-chloroisobutryl fentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide).....	9826
(59)(78)	Para-fluorobutryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide).....	9823
(60)(79)	Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-	

	piperidinyl]propanamide).....	9812
(61)(80)	Para-fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, 4-fluoroisobutyryl fentanyl)..	9824
(81)	Para-fluoro furanyl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)furan-2-carboxamide).....	9854
(62)(82)	Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide).....	9837
(83)	Para -Methoxyfuranyl fentanyl (N -(4-methoxyphenyl)- N -(1-phenethylpiperidin-4-yl)furan-2-carboxamide.....	9859
(84)	para -Methylcyclopropyl fentanyl (N -(4-methylphenyl)- N -(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide).....	9865
(85)	Para-methylfentanyl (N-(4-methylphenyl)-N-(1-phenethylpiperidin-4-yl)propionamide; also known as 4-methylfentanyl).....	9817
(63)(86)	PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine).....	9663
(64)(87)	Phenadoxone.....	9637
(65)(88)	Phenampromide.....	9638
(66)(89)	Phenomorphane.....	9647
(67)(90)	Phenoperidine.....	9641
(91)	Phenyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbenzamide; also known as benzoyl fentanyl).....	9841
(68)(92)	Piritramide.....	9642
(69)(93)	Proheptazine.....	9643
(70)(94)	Propерidine.....	9644
(71)(95)	Propiram.....	9649
(72)(96)	Racemoramide.....	9645
(73)(97)	Tetrahydrofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide).....	9843
(74)(98)	Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide).....	9835
(99)	Thiofuranyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylthiophene-2-carboxamide; also known as 2-thiofuranyl fentanyl; thiophene fentanyl).....	9839
(75)(100)	Tilidine.....	9750
(76)(101)	Trimeperidine.....	9646
(77)(102)	U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide).....	9547
(78)(103)	Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide).....	9840
(104)	Zipeprol (1-methoxy-3-[4-(2-methoxy-2-phenylethyl)piperazin-1-yl]-1-phenylpropan-2-ol).....	9873

(c) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1)	Acetorphine.....	9319
(2)	Acetyldihydrocodeine.....	9051
(3)	Benzylmorphine.....	9052

(4)	Brorphine	9098
(5)	Codeine methylbromide.....	9070
(6) (5)	Codeine-N-Oxide.....	9053
(7) (6)	Cyprenorphine.....	9054
(8) (7)	Desomorphine.....	9055
(9) (8)	Dihydromorphine.....	9145
(10) (9)	Drotebanol.....	9335
(11) (10)	Etorphine (except hydrochloride salt).....	9056
(12) (11)	Heroin.....	9200
(13) (12)	Hydromorfinol.....	9301
(14) (13)	Methyldesorphine.....	9302
(15) (14)	Methyldihydromorphine.....	9304
(16) (15)	Morphine methylbromide.....	9305
(17) (16)	Morphine methylsulfonate.....	9306
(18) (17)	Morphine-N-Oxide.....	9307
(19) (18)	Myrophine.....	9308
(20) (19)	Nicocodeine.....	9309
(21) (20)	Nicomorphine.....	9312
(22) (21)	Normorphine.....	9313
(23) (22)	Pholcodine.....	9314
(24) (23)	Thebacon.....	9315

(d) Any material, compound, mixture or preparation that contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1)	Alpha-ethyltryptamine	7249
	Some trade or other names: etryptamine; Monase; α -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET.	
(2)	4-bromo-2,5-dimethoxy-amphetamine.....	7391
	Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA.	
(3)	2,5-dimethoxyamphetamine.....	7396
	Some trade or other names: 2,5-dimethoxy-alpha-methyl-phenethylamine; 2,5-DMA.	
(4)	4-methoxyamphetamine.....	7411
	Some trade or other names: 4-methoxy-alpha-methylphene-thylamine; paramethoxyamphetamine; PMA.	
(5)	5-methoxy-3,4-methylenedioxy-amphetamine.....	7401
(6)	4-methyl-2,5-dimethoxy-amphetamine.....	7395
	Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP".	
(7)	3,4-methylenedioxy amphetamine.....	7400
(8)	3,4-methylenedioxy-methamphetamine (MDMA).....	7405
(9)	3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA, MDE, and MDEA).....	7404
(10)	N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-	

	alpha-methyl-3,4-(methylenedioxy) phenethylamine, and N-hydroxy MDA).....	7402
(11)	3,4,5-trimethoxy amphetamine.....	7390
(12)	Bufotenine.....	7433
	Some trade or other names: 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine.	
(13)	Diethyltryptamine.....	7434
	Some trade or other names: N,N-Diethyltryptamine; DET.	
(14)	Dimethyltryptamine.....	7435
	Some trade or other names: DMT.	
(15)	Ibogaine.....	7260
	Some trade or other names: 7-Ethyl-6,6 Beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2]azepino[5,4-b]indole; Tabernanthe iboga	
(16)	Lysergic acid diethylamide.....	7315
(17)	Marijuana.....	7360
(18)	Mescaline.....	7381
(19)	Parahexyl.....	7374
	Some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl.	
(20)	Peyote.....	7415
	Meaning all parts of the plant presently classified botanically as <i>Lophophora williamsii</i> Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.	
(21)	N-ethyl-3-piperidyl benzilate.....	7482
(22)	N-methyl-3-piperidyl benzilate.....	7484
(23)	Psilocybin.....	7437
(24)	Psilocyn.....	7438
	Some trade or other names: Psilocin.	
(25)	Ethylamine analog of phencyclidine.....	7455
	Some trade or other names: N-ethyl-1-phenyl-cyclo-hexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE.	
(26)	Pyrrolidine analog of phencyclidine.....	7458
	Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; PHP.	
(27)	Thiophene analog of phencyclidine.....	7470
	Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP.	
(28)	1-[1-(2-thienyl)-cyclohexyl] pyrrolidine.....	7473
	Some other names: TCPy.	
(29)	2,5-dimethoxy-4-ethylamphetamine.....	7399
	Some trade or other names: DOET.	
(30)	Salvia divinorum or salvinorum A; all parts of the plant presently	

- classified botanically as *salvia divinorum*, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.
- (31) *Datura stramonium*, commonly known as gypsum weed or jimson weed; all parts of the plant presently classified botanically as *datura stramonium*, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.
- (32) ~~N-benzylpiperazine~~.....7493
 Some trade or other names: BZP.
- (33) 1-(3-[trifluoromethylphenyl])piperazine
 Some trade or other names: TFMPP.
- (34)(33) 4-Bromo-2,5-dimethoxyphenethylamine.....7392
 (35)(34) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomers, salts and salts of optical isomers.....7348
- (36)(35) Alpha-methyltryptamine (other name: AMT).....7432
 (37)(36) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts and salts of isomers.....7439
- (38)(37) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).....7509
 (39)(38) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).....7508
 (40)(39) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).....7519
 (41)(40) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).....7518
 (42)(41) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).....7385
 (43)(42) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4).....7532
- (44)(43) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).....7517
 (45)(44) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C-N).....7521
 (46)(45) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).....7524
 (47)(46) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT).....7431
 Some trade or other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole.
- (48)(47) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
7538
 Some trade or other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimi-5.
- (49)(48) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
7537
 Some trade or other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimi-82.
- (50)(49) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
7536
 Some trade or other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimi-36.
- (51)(50) 2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
 Some trade or other names: 25H-NBOMe.
- (52)(51) 2-(2,5-dimethoxy-4-methylphenyl)-N-(2-methoxybenzyl)ethanamine
 Some trade or other names: 25D-NBOMe; 2C-D-NBOMe.

- (53)(52) 2-(2,5-dimethoxy-4-nitrophenyl)-N-(2-methoxybenzyl)ethanamine
Some trade or other names: 25N-NBOMe, 2C-N-NBOMe.
- (54)(53) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1 H-pyrrolo[2,3-b]pyridine-3-carboxamide (5F-CUMYL-P7AICA).....7085
- (54) 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexan-1-one (other names: methoxetamine, MXE).....7286
- (55) 1-(4-methoxyphenyl)-N-methylpropan-2-amine (other names: parame-thoxymethamphetamine, PMMA)1245
- (e) Any material, compound, mixture or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:
- (1) Etizolam.....2780
Some trade or other names: (4-(2-chlorophenyl)-2-ethyl-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine)
- (2) Mecloqualone.....2572
- (3) Methaqualone.....2565
- (4) Gamma hydroxybutyric acid.....2010
- (5) 8-chloro-6-(2-fluorophenyl)-1-methyl-4H-benzo[f][1,2,4]triazolo[4,3-a][1,4]diazepine, its salts, isomers, and salts of isomers (other name: flualprazolam).....2785
- (6) 6-(2-chlorophenyl)-1-methyl-8-nitro-4H-benzo[f][1,2,4]triazolo[4,3-a][1,4]diazepine, its salts, isomers, and salts of isomers (other name: clonazolam).....2786
- (7) 8-bromo-6-(2-fluorophenyl)-1-methyl-4H-benzo[f][1,2,4]triazolo[4,3-a][1,4]diazepine, its salts, isomers, and salts of isomers (other name: flubromazolam).....2788
- (8) 7-chloro-5-(2-chlorophenyl)-1-methyl-1,3-dihydro-2H-benzo[e][1,4]diazepin-2-one, its salts, isomers, and salts of isomers (other name: diclazepam).....2789
- (f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:
- (1) Aminorex.....1585
Some other names: Aminoxaphen 2-amino-5-phenyl-2-oxazoline or 4,5-dihydro-5-phenyl-2-oxazolamine
- (2) Fenethylamine.....1503
- (3) N-ethylamphetamine.....1475
- (4) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine).....1590
- (5) N,N-dimethylamphetamine (also known as N,N-alpha-trimethylbenzeneethanamine; N,N-alpha-trimethylphenethylamine).....1480
- (6) Cathinone (some other names: 2-amino-1-phenol-1-propanone, alpha-amino propiophenone, 2-amino propiophenone and norphedrone).....1235
- (7) Substituted cathinones
Any compound, except bupropion or compounds listed under a different

schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:

- (A) By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;
 - (B) by substitution at the 3-position with an acyclic alkyl substituent;
 - (C) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or
 - (D) by inclusion of the 2-amino nitrogen atom in a cyclic structure.
- (8) N-benzylpiperazine (other names: BZP, 1-benzylpiperazine).....7493
- (9) Methiopropamine
(N-methyl-1-(thiophen-2-yl)propan-2-amine).....1478
- (10) 4,4'-Dimethylaminorex (4,4'-DMAR; 4,5-dihydro-4-methyl-5-(4-methylphenyl)-2-oxazolamine; 4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine).....1595
- (11) Amineptine (7-[(10,11-dihydro-5 H-dibenzo[a,d]cyclohepten-5-yl)amino]heptanoic acid).....1219
- (12) Mesocarb (N-phenyl-N'-(3-(1-phenylpropan-2-yl)-1,2,3-oxadiazol-3-ium-5-yl)carbamide).....1227

(g) Any material, compound, mixture or preparation that contains any quantity of the following substances:

- (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of isomers
- (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers
- (3) Tianeptine, its optical isomers, salts and salts of isomers

(h) Any of the following cannabinoids, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Tetrahydrocannabinols.....7370
Meaning tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis* (*cannabis* plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of *Cannabis*, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers Delta 3,4 cis or trans tetrahydrocannabinol, and its optical isomers (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.), except tetrahydrocannabinols in any of the following:
 - (A) Industrial hemp, as defined in K.S.A. 2-3901, and amendments

- thereto;
- (B) solid waste, as defined in K.S.A. 65-3402, and amendments thereto, and hazardous waste, as defined in K.S.A. 65-3430, and amendments thereto, if such waste is the result of the cultivation, production or processing of industrial hemp, as defined in K.S.A. 2-3901, and amendments thereto, and such waste contains a delta-9 tetrahydrocannabinol concentration of not more than 0.3%; or
- (C) hemp products, as defined in K.S.A. 2-3901, and amendments thereto, unless otherwise deemed unlawful pursuant to K.S.A. 2-3908, and amendments thereto.
- (2) **Naphthylmethylindoles**
Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole group by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted on the indole group to any extent and whether or not substituted on the benzyl or naphthyl ring to any extent.
- (3) **Naphthoylpyrroles**
Any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole group by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted on the pyrrole group to any extent, whether or not substituted on the benzyl or naphthyl ring to any extent.
- (4) **Naphthylmethylindenes**
Any compound containing a naphthylmethylindene structure with substitution at the 3-position of the indene group by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted on the indene group to any extent, whether or not substituted on the benzyl or naphthyl ring to any extent.
- (5) **Cyclohexylphenols**
Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted on the cyclohexyl ring to any extent.
- (6) **2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.**
Some trade or other names: WIN 55,212-2.
- (7) **9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol**
Some trade or other names: HU-210, HU-211.
- (8) **Indole-3-carboxylate esters**
Any compound containing a 1H-indole-3-carboxylate ester structure with the ester oxygen bearing a naphthyl, quinolinyl, isoquinolinyl or

- adamantyl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl or benzyl groups to any extent.
- (9) Indazole-3-carboxamides
Any compound containing a 1H-indazole-3-carboxamide structure with substitution at the nitrogen of the carboxamide by a naphthyl, quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1 position of the indazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indazole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.
- (10) Indole-3-carboxamides
Any compound containing a 1H-indole-3-carboxamide structure with substitution at the nitrogen of the carboxamide by a naphthyl, quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not further substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.
- (11) (1H-indazol-3-yl)methanones
Any compound containing a (1H-indazol-3-yl)methanone structure with the carbonyl carbon bearing a naphthyl group and substitution at the 1 position of the indazole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indazole ring to any extent and whether or not substituted on the naphthyl or benzyl groups to any extent.
- (12) (1H-indol-3-yl)methanones
Any compound containing a (1H-indol-3-yl)methanone structure with the carbonyl carbon bearing a naphthyl, quinolinyl, isoquinolinyl, adamantyl, phenyl, benzyl or tetramethylcyclopropyl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, phenyl, benzyl or

tetramethylcyclopropyl groups to any extent.

Sec. 5. K.S.A. 2023 Supp. 65-4107 is hereby amended to read as follows: 65-4107.
 (a) The controlled substances listed in this section are included in schedule II and the number set forth opposite each drug or substance is the DEA controlled substances code which has been assigned to it.

(b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, naldemedine, nalmefene, naloxegol, naloxone, 6β-naltrexol ~~and~~ naltrexone and samidorphen and their respective salts, but including the following:

(A)	Raw opium.....	9600
(B)	Opium extracts.....	9610
(C)	Opium fluid.....	9620
(D)	Powdered opium.....	9639
(E)	Granulated opium.....	9640
(F)	Tincture of opium.....	9630
(G)	Codeine.....	9050
(H)	Ethylmorphine.....	9190
(I)	Etorphine hydrochloride.....	9059
(J)	Hydrocodone.....	9193
(K)	Hydromorphone.....	9150
(L)	Metopon.....	9260
(M)	Morphine.....	9300
(N)	Noroxymorphone.....	9668
(O)	Oxycodone.....	9143
(P)	Oxymorphone.....	9652
(Q)	Thebaine.....	9333
(R)	Dihydroetorphine.....	9334
(S)	Oripavine.....	9330

(2) Any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves (9040) and any salt, compound, derivative or preparation of coca leaves, but not including decocainized coca leaves or extractions which do not contain cocaine (9041) or ecgonine (9180).

(5) Cocaine, its salts, isomers and salts of isomers (9041).

(6) Ecgonine, its salts, isomers and salts of isomers (9180).

(7) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy) (9670).

(c) Any of the following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of these isomers, esters,

ethers and salts is possible within the specific chemical designation dextrophan and levopropoxyphene excepted:

(1)	Alfentanil.....	9737
(2)	Alphaprodine.....	9010
(3)	Anileridine.....	9020
(4)	Bezitramide.....	9800
(5)	Bulk dextropropoxyphene (nondosage forms).....	9273
(6)	Carfentanil.....	9743
(7)	Dihydrocodeine.....	9120
(8)	Diphenoxylate.....	9170
(9)	Fentanyl.....	9801
(10)	Isomethadone.....	9226
(11)	Levomethorphan.....	9210
(12)	Levorphanol.....	9220
(13)	Metazocine.....	9240
(14)	Methadone.....	9250
(15)	Methadone-intermediate,4-cyano-2-dimethyl amino-4,4-diphenyl butane	9254
(16)	Moramide-intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.....	9802
(17)	Oliceridine (N-[(3-methoxythiophen-2-yl)methyl] ({2-[(9 R)-9-(pyridin-2-yl)-6-oxaspiro [4.5]decan-9-yl]ethyl})amine fumarate).....	9245
(18)	Pethidine (meperidine).....	9230
(19)	Pethidine-intermediate-A, 4-cyano-1-methyl-4- phenylpiperidine.....	9232
(20)	Pethidine-intermediate-B, ethyl-4-phenyl- piperidine-4-carboxylate.....	9233
(21)	Pethidine-intermediate-C, 1-methyl-4-phenyl-piperidine-4-carboxylic acid	9234
(22)	Phenazocine.....	9715
(23)	Piminodine.....	9730
(24)	Racemethorphan.....	9732
(25)	Racemorphan.....	9733
(26)	Sufentanil.....	9740
(27)	Levo-alphaacetyl methadol.....	9648
	Some other names: levo-alpha-acetyl methadol, levomethadyl acetate or LAAM.	
(28)	Remifentanil.....	9739
(29)	Tapentadol.....	9780
(30)	Thiafentanil.....	9729
(d)	Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:	
(1)	Amphetamine, its salts, optical isomers and salts of its optical isomers..	1100
(2)	Phenmetrazine and its salts.....	1631
(3)	Methamphetamine, including its salts, isomers and salts of	

- isomers.....1105
- (4) Methylphenidate.....1724
- (5) Lisdexamfetamine, its salts, isomers, and salts of its isomers.....1205
- (e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:
- (1) Amobarbital.....2125
- (2) Glutethimide.....2550
- (3) Secobarbital.....2315
- (4) Pentobarbital.....2270
- (5) Phencyclidine.....7471
- (f) Any material, compound, mixture, or preparation which contains any quantity of the following substances:
- (1) Immediate precursor to amphetamine and methamphetamine:
- (A) Phenylacetone.....8501
Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.
- (2) Immediate precursors to phencyclidine (PCP):
- (A) 1-phenylcyclohexylamine.....7460
- (B) 1-piperidinocyclohexanecarbonitrile (PCC).....8603
- (3) Immediate precursor to fentanyl:
- (A) 4-anilino-N-phenethylpiperidine (ANPP).....8333
- (B) N-phenyl-N-(piperidin-4-yl)propionamide (norfentanyl).....8366
- (g) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substance, its salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:
- (1) Dronabinol [(-)-delta-9-trans tetrahydrocannabinol] in an oral solution in a drug product approved for marketing by the United States food and drug administration.....7365
- (2) Nabilone.....7379
[Another name for nabilone: (±)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one]
- (h) Any material, compound, mixture or preparation containing any of the following narcotic drugs or any salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:
- (1) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit with a fourfold or greater quantity of an isoquinoline alkaloid of opium 9805
- (2) Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.....9806

Sec. 6. K.S.A. 2023 Supp. 65-4111 is hereby amended to read as follows: 65-4111. (a) The controlled substances listed in this section are included in schedule IV and the number set forth opposite each drug or substance is the DEA controlled substances code that has been assigned to it.

(b) Any material, compound, mixture or preparation that contains any quantity of the following substances including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation and having a potential for abuse associated with a depressant effect on the central nervous system:

(1)	Alprazolam.....	2882
(2)	Barbital.....	2145
(3)	Brexanolone.....	2400
(4)	Bromazepam.....	2748
(5)	Camazepam.....	2749
(6)	Carisoprodol.....	8192
(7)	Chloral betaine.....	2460
(8)	Chloral hydrate.....	2465
(9)	Chlordiazepoxide.....	2744
(10)	Clobazam.....	2751
(11)	Clonazepam.....	2737
(12)	Clorazepate.....	2768
(13)	Clotiazepam.....	2752
(14)	Cloxazolam.....	2753
(15)	<u>Daridorexant.....</u>	<u>2410</u>
(16)	Delorazepam.....	2754
(16) (17)	Diazepam.....	2765
(17) (18)	Dichloralphenazone.....	2467
(18) (19)	Estazolam.....	2756
(19) (20)	Ethchlorvynol.....	2540
(20) (21)	Ethinamate.....	2545
(21) (22)	Ethyl loflazepate.....	2758
(22) (23)	Fludiazepam.....	2759
(23) (24)	Flunitrazepam.....	2763
(24) (25)	Flurazepam.....	2767
(25) (26)	Fospropofol.....	2138
(26) (27)	Halazepam.....	2762
(27) (28)	Haloxazolam.....	2771
(28) (29)	Ketazolam.....	2772
(29) (30)	Lemborexant.....	2245
(30) (31)	Loprazolam.....	2773
(31) (32)	Lorazepam.....	2885
(32) (33)	Lormetazepam.....	2774
(33) (34)	Mebutamate.....	2800
(34) (35)	Medazepam.....	2836
(35) (36)	Meprobamate.....	2820
(36) (37)	Methohexital.....	2264

(37)(38) Methylphenobarbital (mephobarbital).....2250
 (38)(39) Midazolam.....2884
 (39)(40) Nimetazepam.....2837
 (40)(41) Nitrazepam.....2834
 (41)(42) Nordiazepam.....2838
 (42)(43) Oxazepam.....2835
 (43)(44) Oxazolam.....2839
 (44)(45) Paraldehyde.....2585
 (45)(46) Petrichloral.....2591
 (46)(47) Phenobarbital.....2285
 (47)(48) Pinazepam.....2883
 (48)(49) Prazepam.....2764
 (49)(50) Quazepam.....2881
 (50)(51) Remimazolam.....2846
 (51)(52) Temazepam.....2925
 (52)(53) Tetrazepam.....2886
 (53)(54) Triazolam.....2887
 (54)(55) Zolpidem.....2783
 (55)(56) Zaleplon.....2781
 (56)(57) Zopiclone.....2784
 (57) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts,
 optical and geometric isomers and salts of these isomers (including
 tramadol).....9752
 (58) Alfaxalone.....2731
 (59) Suvorexant.....2223

(c) ~~Any material, compound, mixture, or preparation that contains any quantity of fenfluramine (1670), including its salts, isomers (whether optical, position or geometric) and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible. The provisions of this subsection (c) shall expire on the date fenfluramine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).~~

(d) Any material, compound, mixture or preparation that contains any quantity of lorcaserin (1625), including its salts, isomers and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible (21 U.S.C. § 812; 21 code of federal regulations C.F.R. § 1308.14).

~~(e)~~(d) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Cathine ((+)-norpseudoephedrine).....1230
 (2) Diethylpropion.....1610
 (3) Fencamfamin.....1760
 (4) Fenproporex.....1575
 (5) Mazindol.....1605
 (6) Mefenorex.....1580

- (7) Pemoline (including organometallic complexes and chelates thereof).....1530
- (8) Phentermine.....1640

The provisions of ~~this subsection (e)(8)~~ (d)(8) shall expire on the date phentermine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; ~~21 code of federal regulations C.F.R. § 1308.14~~).

- (9) Pipradrol.....1750
- (10) Serdexmethylphenidate.....1729
- ~~(11)~~ SPA((-)-1-dimethylamino-1, 2-diphenylethane).....1635
- ~~(11)~~(12) Sibutramine.....1675
- ~~(12)~~(13) Solriamfetol (2-amino-3-phenylpropyl carbamate; benzenepropanol, beta-amino-, carbamate (ester)).....1650
- ~~(13)~~(14) Mondafinil.....1680

~~(f)~~(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following, including salts thereof:

- (1) Pentazocine.....9709
- (2) Butorphanol (including its optical isomers).....9720
- (3) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl]][(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical isomers) and its salts, isomers, and salts of isomers.....9725

~~(g)~~(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

- (1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.....9167
- (2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propion-oxybutane).....9278
- (3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers and salts of these isomers (including tramadol).....9752

~~(h)~~(g) Butyl nitrite and its salts, isomers, esters, ethers or their salts.

~~(i)~~(h) The board may except by rule and regulation any compound, mixture or preparation containing any depressant substance listed in subsection (b) from the application of all or any part of this act if the compound, mixture or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion or concentration that vitiate the potential for abuse of the substances that have a depressant effect on the central nervous system.

Sec. 7. K.S.A. 2023 Supp. 65-4113 is hereby amended to read as follows: 65-4113.

(a) The controlled substances or drugs, by whatever official name, common or usual name, chemical name or brand name designated, listed in this section are included in schedule V.

(b) Any compound, mixture or preparation containing limited quantities of any of the following narcotic drugs which also contains one or more nonnarcotic active

medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- (1) Not more than 200 milligrams of codeine or any of its salts per 100 milliliters or per 100 grams.
- (2) Not more than 100 milligrams of dihydrocodeine or any of its salts per 100 milliliters or per 100 grams.
- (3) Not more than 100 milligrams of ethylmorphine or any of its salts per 100 milliliters or per 100 grams.
- (4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.
- (5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.
- (6) Not more than .5 milligram of difenoxin (9168) and not less than 25 micrograms of atropine sulfate per dosage unit.

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Propylhexedrine (except when part of a compound used for nasal decongestion which is authorized to be sold lawfully over the counter without a prescription under the federal food, drug and cosmetic act, so long as it is used only for such purpose).....8161
- (2) Pyrovalerone.....1485

(d) Any compound, mixture or preparation containing any detectable quantity of ephedrine, its salts or optical isomers, or salts of optical isomers.

(e) Any compound, mixture or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers.

(f) Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

- (1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (some trade or other names BRV; UCB-34714; Briviact).....2710
- (2) Cenobamate [(1R)-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl] carbamate2720
- (3) Ezogabine N-[2-amino-4(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester.....2779
- (4) Ganaxolone.....2401
- (5) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide].....2746
- ~~(5)~~~~(6)~~ Lasmiditan [2,4,6-trifluoro-N-(6-(1-methylpiperidine-4-carbonyl)pyridine-2-yl)-benzamide].....2790
- ~~(6)~~~~(7)~~ Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].....2782";

On page 5, in line 14, after "K.S.A." by inserting "21-5701,"; also in line 14, after "72-6283" by inserting "and K.S.A. 2023 Supp. 65-4105, 65-4107, 65-4111 and 65-4113";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "schools" and inserting "health and healthcare"; also in line 1, by striking "student health" and inserting "the regulation of certain drugs"; also in line 1, by striking "the"; in line 2, by striking "maintenance" and inserting "a school to maintain a stock supply"; in line 7, after the semicolon by inserting "adding and removing certain substances in schedules I, II, IV and V of the uniform controlled substances act; making conforming changes to the criminal code definition of fentanyl-related controlled substances;"; also in line 7, after "K.S.A." by inserting "21-5701,"; also in line 7, after "72-6283"; by inserting "and K.S.A. 2023 Supp. 65-4105, 65-4107, 65-4111 and 65-4113";

And your committee on conference recommends the adoption of this report.

BEVERLY GOSSAGE
RENEE ERICKSON
PAT PETTEY

Conferees on part of Senate

BRENDA LANDWEHR
JOHN EPLEE
SUSAN RUIZ

Conferees on part of House

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2547**.

On roll call, the vote was: Yeas 35; Nays 3; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Doll, Steffen, Tyson.

Present and Passing: Kloos.

Absent or Not Voting: Ryckman.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2760** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 3, following line 10, by inserting:

"New Sec. 4. (a) As used in this section:

(1) "Service-connected disability" means, regarding disability or death, that such disability was incurred or aggravated, or that such death resulted from a disability

incurred or aggravated, in the line of duty in the active military, naval, air or space service; and

(2) "veteran" means a person who served in the active military, naval, air or space service and was discharged or released therefrom under conditions other than dishonorable.

(b) No state agency or municipality, as defined in K.S.A. 12-105a, and amendments thereto, shall request or demand any other document or improvise an authentication procedure to determine eligibility for any benefit derived from a service-connected disability suffered by a Kansas veteran, except the following:

- (1) A United States passport as defined in 22 C.F.R. 53.1;
- (2) an unexpired real I.D. state driver's license as defined in 6 C.F.R. 37;
- (3) a veterans health identity card issued by the United States department of veterans affairs;
- (4) a veterans identification card issued under the authority of 38 U.S.C. § 5706;
- (5) a common access card issued by the United States department of defense; or
- (6) any department of defense identity cards listed in 32 C.F.R. 161(b).

New Sec. 5. (a) As used in this section:

(1) "Non-service-connected" means, regarding disability or death, that such disability was not incurred or aggravated, or that death did not result from a disability incurred or aggravated, in the line of duty in the active military, naval, air or space service.

(2) "Service-connected" means, regarding disability or death, that such disability was incurred or aggravated, or that death resulted from a disability incurred or aggravated, in the line of duty in the active military, naval, air or space service.

(3) "Veteran" means a person who served in the active military, naval, air or space service, including those groups and individuals listed under 38 C.F.R. 3.7, and who was discharged or released therefrom under conditions other than dishonorable.

(b) Findings of a service-connected disability or death by federal officials shall be probative. State agencies and municipalities, as defined in K.S.A. 12-105a, and amendments thereto, shall not:

(1) Request or demand a veteran's private health information for the purpose of determining eligibility for service-connected or non-service-connected disability benefits;

(2) reconsider disability determinations made by:

- (A) The secretary of the army, with respect to matters concerning the army;
- (B) the secretary of the navy, with respect to matters concerning the navy and the marine corps;
- (C) the secretary of the air force, with respect to matters concerning the air force or the space force;
- (D) the secretary of homeland security, with respect to matters concerning the coast guard;
- (E) the secretary of health and human services, with respect to matters concerning the public health service; and
- (F) the secretary of commerce, with respect to matters concerning the national oceanic and atmospheric administration or its predecessor, the coast and geodetic survey;

(3) reconsider the disability determinations made under the authority of a secretary

defined in subsection (b)(2) or the secretary of veterans affairs; or

(4) request or demand a veteran voluntarily seek a re-evaluation of such veteran's existing service-connected disability claim.

(c) A veteran or such veteran's surviving family members may be asked to document such veteran's service-connected status regarding the disability or death of such veteran or service member with:

(1) A department of veterans affairs benefits summary letter with service-connected disability marked "yes";

(2) a military service physical evaluation board document, issued under the authority of 10 U.S.C. § 1222(a), with the finding of "unfit for duty"; or

(3) a posthumous purple heart decoration, a military posthumous award citation, military orders or official casualty notification correspondence from the department of defense.

(d) A veteran's percentage of disability evaluation finding shall be disclosed by such veteran or such veteran's family members if germane to the Kansas statutory limitation in question.

Sec. 6. K.S.A. 8-160 is hereby amended to read as follows: 8-160. As used in this act, ~~the term~~ "disabled veteran" means a person who ~~has~~:

(a) Served in the armed forces of the United States and who is entitled to compensation for a service connected disability of at least 50% and the laws administered by the veterans administration or who is entitled to compensation for the loss, or permanent loss of use, of one or both feet or one or both hands, or for permanent visual impairment of both eyes to a prescribed degree active military, naval, air or space service and who was discharged or released therefrom under an honorable discharge or a general discharge under honorable conditions;

(b) received a disability that was incurred or aggravated in the line of duty in the active military, naval, air or space service; and

(c) has a service-connected evaluation percentage equal to or greater than 50%, pursuant to 38 U.S.C. § 1101 et seq. or 10 U.S.C. § 1201 et seq.

Sec. 7. K.S.A. 8-243 is hereby amended to read as follows: 8-243. (a) Upon payment of the required fee, the division shall issue to every applicant qualifying under the provisions of this act the driver's license as applied for by the applicant. Such license shall bear the class or classes of motor vehicles ~~which that~~ the licensee is entitled to drive, a distinguishing number assigned to the licensee, the full legal name, date of birth, gender, address of principal residence and a brief description of the licensee, either: (1) A digital color image or photograph; or (2) a laser engraved photograph of the licensee, a facsimile of the signature of the licensee and the statement provided for in subsection (b). No driver's license shall be valid until it has been signed by the licensee. All drivers' licenses issued to persons under the age of 21 years shall be readily distinguishable from licenses issued to persons age 21 years or older. In addition, all drivers' licenses issued to persons under the age of 18 years shall also be readily distinguishable from licenses issued to persons age 18 years or older. The secretary of revenue shall implement a vertical format to make drivers' licenses issued to persons under the age of 21 more readily distinguishable. Except as otherwise provided, no driver's license issued by the division shall be valid until either: (1) A digital color image or photograph; or (2) a laser engraved photograph of such licensee has been taken and verified before being placed on the driver's license. The secretary of

revenue shall prescribe a fee of not more than \$8 and upon the payment of such fee, the division shall cause either: (1) A digital color image or photograph; or (2) a laser engraved photograph of such applicant to be placed on the driver's license. Upon payment of such fee prescribed by the secretary of revenue, plus payment of the fee required by K.S.A. 8-246, and amendments thereto, for issuance of a new license, the division shall issue to such licensee a new license containing either: (1) A digital color image or photograph; or (2) a laser engraved photograph of such licensee. A driver's license ~~which that~~ does not contain the principal address as required may be issued to persons who are program participants pursuant to K.S.A. 75-455, and amendments thereto, upon payment of the fee required by K.S.A. 8-246, and amendments thereto. All Kansas drivers' licenses and identification cards shall have physical security features designed to prevent tampering, counterfeiting or duplication of the document for fraudulent purposes. The secretary of revenue shall incorporate common machine-readable technology into all Kansas drivers' licenses and identification cards.

(b) A Kansas driver's license issued to any person 16 years of age or older who indicated on the person's application that the person wished to make a gift of all or any part of the body of the licensee in accordance with the revised uniform anatomical gift act, K.S.A. 65-3220 through 65-3244, and amendments thereto, shall have the word "Donor" placed on the front of the licensee's driver's license.

(c) Any person who is deaf or hard of hearing may request that the division issue to such person a driver's license which is readily distinguishable from drivers' licenses issued to other drivers and upon such request the division shall issue such license. Drivers' licenses issued to persons who are deaf or hard of hearing and under the age of 21 years shall be readily distinguishable from drivers' licenses issued to persons who are deaf or hard of hearing and 21 years of age or older. Upon satisfaction of subsection (a), the division shall issue a receipt of application permitting the operation of a vehicle consistent with the requested class, if there are no other restrictions or limitations, pending the division's verification of the information and production of a driver's license.

(d) A driver's license issued to a person required to be registered under K.S.A. 22-4901 et seq., and amendments thereto, shall be assigned a distinguishing number by the division which will readily indicate to law enforcement officers that such person is a registered offender. The division shall develop a numbering system to implement the provisions of this subsection.

(e) (1) Any person who is a veteran may request that the division issue to such person a driver's license ~~which that~~ shall include the designation "VETERAN" displayed on the front of the driver's license at a location to be determined by the secretary of revenue. In order to receive a license described in this subsection, the veteran ~~must shall~~ provide ~~proof of the veteran's military service and honorable discharge or general discharge under honorable conditions, including~~ a copy of the veteran's ~~DD214 form~~ DD form 214, NGB form 22 or equivalent discharge document showing character of service as honorable or general under honorable conditions.

(2) As used in this subsection, "veteran" means a person who:

(A) ~~Has served in: The army, navy, marine corps, air force, coast guard, air or army national guard or any branch of the military reserves of the United States; and~~

(B) ~~has been separated from the branch of service in which the person was honorably discharged or received a general discharge under honorable conditions served~~

in the active military, naval, air or space service and who was discharged or released therefrom under an honorable discharge or a general discharge under honorable conditions.

(3) The director of vehicles may adopt any rules and regulations necessary to carry out the provisions of this subsection.

(f) (1) Any person who submits satisfactory proof to the director of vehicles, on a form provided by the director, that such person needs assistance with cognition, including, but not limited to, persons with autism spectrum disorder, may request that the division issue to such person a driver's license, that shall note such impairment on the driver's license at a location to be determined by the secretary of revenue.

(2) Satisfactory proof that a person needs assistance with cognition shall include a statement from a person licensed to practice the healing arts in any state, an advanced practice registered nurse licensed under K.S.A. 65-1131, and amendments thereto, a licensed physician assistant or a person clinically licensed by the Kansas behavioral sciences regulatory board certifying that such person needs assistance with cognition.

Sec. 8. K.S.A. 8-1324 is hereby amended to read as follows: 8-1324. (a) Any resident who does not hold a current valid Kansas driver's license may make application to the division of vehicles and be issued one identification card.

(b) (1) Each application for an identification card shall include a question asking if the applicant is willing to give such applicant's authorization to be listed as an organ, eye and tissue donor in the Kansas donor registry in accordance with the revised uniform anatomical gift act, K.S.A. 65-3220 through 65-3244, and amendments thereto. The gift would become effective upon the death of the donor.

(2) For the purpose of obtaining an identification card, an applicant shall submit, with the application, proof of age, proof of identity and proof of lawful presence. An applicant shall submit with the application a photo identity document, except that a non-photo identity document is acceptable if it includes both the applicant's full legal name and date of birth, and documentation showing the applicant's name, the applicant's address of principal residence and the applicant's social security account number. The applicant's social security number shall remain confidential and shall not be disclosed, except as provided pursuant to K.S.A. 74-2014, and amendments thereto. If the applicant does not have a social security number, the applicant shall provide proof of lawful presence and Kansas residency. The division shall assign a distinguishing number to the identification card. Before issuing an identification card to a person, the division shall make reasonable efforts to verify with the issuing agency the issuance, validity and completeness of each document required to be presented by the applicant to prove age, identity and lawful presence.

(c) The division shall not issue an identification card to any person who fails to provide proof that the person is lawfully present in the United States. If an applicant provides evidence of lawful presence as set out in K.S.A. 8-240(b)(2)(E) through (2)(I), and amendments thereto, or is an alien lawfully admitted for temporary residence under K.S.A. 8-240(b)(2)(B), and amendments thereto, the division may only issue a temporary identification card to the person under the following conditions:

~~(A)~~(1) A temporary identification card issued pursuant to this subparagraph shall be valid only during the period of time of the applicant's authorized stay in the United States or, if there is no definite end to the period of authorized stay, a period of one year;

~~(B)~~(2) a temporary identification card issued pursuant to this subparagraph shall clearly indicate that it is temporary and shall state the date upon which it expires;

~~(C)~~(3) no temporary identification card issued pursuant to this subparagraph shall be for a longer period of time than the time period permitted by K.S.A. 8-1325, and amendments thereto; and

~~(D)~~(4) a temporary identification card issued pursuant to this subparagraph may be renewed, subject at the time of renewal, to the same requirements and conditions set forth in this subsection for the issuance of the original temporary identification card.

(d) The division shall not issue an identification card to any person who holds a current valid Kansas driver's license unless such driver's license has been physically surrendered pursuant to the provisions of K.S.A. 8-1002(e), and amendments thereto.

(e) The division shall refuse to issue an identification card to a person holding a driver's license or identification card issued by another state without confirmation that the person is terminating or has terminated the license or identification card.

(f) The parent or guardian of an applicant under 16 years of age shall sign the application for an identification card submitted by such applicant.

(g) (1) The division shall require payment of a fee of \$14 at the time application for an identification card is made, except that persons who are 65 or more years of age or who are handicapped, as defined in K.S.A. 8-1,124, and amendments thereto, shall be required to pay a fee of only \$10. In addition to the fees prescribed by this subsection, the division shall require payment of the photo fee established pursuant to K.S.A. 8-243, and amendments thereto, for the cost of the photograph to be placed on the identification card.

(2) The division shall not require or accept payment of application or photo fees under this subsection for any person 17 years of age or older for purposes of meeting the voter identification requirements of K.S.A. 25-2908, and amendments thereto. Such person shall:

(A) Swear under oath that such person desires an identification card in order to vote in an election in Kansas and that such person does not possess any of the forms of identification acceptable under K.S.A. 25-2908, and amendments thereto. The affidavit shall specifically list the acceptable forms of identification under K.S.A. 25-2908, and amendments thereto; and

(B) produce evidence that such person is registered to vote in Kansas.

(3) The secretary of revenue shall adopt rules and regulations in order to implement the provisions of paragraph (2).

(h) All Kansas identification cards shall have physical security features designed to prevent tampering, counterfeiting or duplication for fraudulent purposes.

(i) For the purposes of K.S.A. 8-1324 through 8-1328, and amendments thereto, a person shall be deemed to be a resident of the state if the person:

(1) ~~The person~~ Owns, leases or rents a place of domicile in this state;

(2) ~~the person~~ engages in a trade, business or profession in this state;

(3) ~~the person~~ is registered to vote in this state;

(4) ~~the person~~ enrolls the person's child in a school in this state; or

(5) ~~the person~~ registers the person's motor vehicle in this state.

(j) The division shall require that any person applying for an identification card submit to a mandatory facial image capture. The captured facial image shall be displayed on the front of the applicant's identification card by either:

- (1) A digital color image or photograph; or
- (2) a laser-engraved photograph of the licensee.

(k) (1) Any person who is a veteran may request that the division issue to such person a nondriver identification card ~~which that~~ shall include the designation "VETERAN" displayed on the front of the nondriver identification card at a location to be determined by the secretary of revenue. In order to receive a nondriver identification card described in this subsection, the veteran ~~must shall~~ provide ~~proof of the veteran's military service and honorable discharge or general discharge under honorable conditions, including a copy of the veteran's DD214 form DD form 214, NGB form 22 or equivalent discharge document showing character of service as honorable or general under honorable conditions.~~

(2) As used in this subsection, "veteran" means a person who:

(A) ~~Has served in: The army, navy, marine corps, air force, coast guard, air or army national guard or any branch of the military reserves of the United States; and~~

(B) ~~has been separated from the branch of service in which the person was honorably discharged or received a general discharge under honorable conditions served in the active military, naval, air or space service and who was discharged or released therefrom under an honorable discharge or a general discharge under honorable conditions.~~

(3) The director of vehicles may adopt any rules and regulations necessary to carry out the provisions of this subsection.

(l) The director of vehicles may issue a temporary identification card to an applicant who cannot provide valid documentary evidence as defined by subsection (c), if the applicant provides compelling evidence proving current lawful presence. Any temporary identification card issued pursuant to this subparagraph shall be valid for one year.

(m) Upon payment of the required fee, the division shall issue to every applicant qualifying under the provisions of this act an identification card. Such identification card shall bear a distinguishing number assigned to the cardholder, the full legal name, date of birth, address of principal residence, a brief description of the cardholder, either:

(1) A digital color image or photograph; or

(2) a laser engraved photograph of the cardholder, and a facsimile of the signature of the cardholder. An identification card ~~which that~~ does not contain the address of principal residence of the cardholder as required may be issued to persons who are program participants pursuant to K.S.A. 75-455, and amendments thereto.

(n) An identification card issued to any person who indicated on the application that the person wished to make an anatomical gift in accordance with the revised uniform anatomical gift act, K.S.A. 65-3220 through 65-3244, and amendments thereto, shall have the word "Donor" placed on the front of the applicant's identification card.

(o) (1) Any person who submits satisfactory proof to the director of vehicles, on a form provided by the director, that such person needs assistance with cognition, including, but not limited to, persons with autism spectrum disorder, may request that the division issue to such person a nondriver identification card, that shall note such impairment on the nondriver identification card at a location to be determined by the secretary of revenue.

(2) Satisfactory proof that a person needs assistance with cognition shall include a statement from a person licensed to practice the healing arts in any state, an advanced

practice registered nurse licensed under K.S.A. 65-1131, and amendments thereto, a licensed physician assistant or a person clinically licensed by the Kansas behavioral sciences regulatory board certifying that such person needs assistance with cognition.

(p)-(4) The secretary of revenue shall permit an electronic online renewal of an identification card if the electronic online renewal applicant previously provided documentation of identity, lawful presence and residence to the division for electronic scanning. For purposes of this subsection, the division may rely on the division's most recent, existing color digital image and signature image of the applicant for the nondriver's identification card if the division has such images on file. The determination on whether an electronic online renewal application or equivalent of a nondriver's identification card is permitted shall be made by the director of vehicles or the director's designee. The division shall not renew a nondriver's identification card through an electronic online or equivalent process if the identification card has been previously renewed through an electronic online application in the immediately preceding card's expiration period. No renewal under this subsection shall be granted to any person who is a registered offender pursuant to K.S.A. 22-4901 et seq., and amendments thereto.

~~(2) Prior to February 1, 2023, the division shall report to the house of representatives and the senate committees on transportation regarding the online renewal process of this subsection and the effects of implementing such process.;~~

On page 4, in line 33, by striking "Was a member of the armed services" and inserting "Served in the active military, naval, air or space service and who was discharged or released therefrom under conditions other than dishonorable"; in line 34, by striking all after "(2)"; in line 35, by striking "conditions" and inserting "received a disability that was incurred or aggravated in the line of duty in the active military, naval, air or space service"; in line 36, by striking all after "a"; by striking all in line 37; in line 38, by striking all before "equal" and inserting "service-connected evaluation percentage; in line 38, after "equal" by inserting "to"; also in line 38, after "30%" by inserting "pursuant to 38 U.S.C. § 1101 et seq. or 10 U.S.C. § 1201 et seq.";

On page 9, following line 11, by inserting:

"Sec. 12. K.S.A. 44-706 is hereby amended to read as follows: 44-706. The secretary shall examine whether an individual has separated from employment for each week claimed. The secretary shall apply the provisions of this section to the individual's most recent employment prior to the week claimed. An individual shall be disqualified for benefits:

(a) If the individual left work voluntarily without good cause attributable to the work or the employer, subject to the other provisions of this subsection. For purposes of this subsection, "good cause" is cause of such gravity that would impel a reasonable, not supersensitive, individual exercising ordinary common sense to leave employment. Good cause requires a showing of good faith of the individual leaving work, including the presence of a genuine desire to work. Failure to return to work after expiration of approved personal or medical leave, or both, shall be considered a voluntary resignation. After a temporary job assignment, failure of an individual to affirmatively request an additional assignment on the next succeeding workday, if required by the employment agreement, after completion of a given work assignment, shall constitute leaving work voluntarily. The disqualification shall begin the day following the separation and shall continue until after the individual has become reemployed and has had earnings from insured work of at least three times the individual's weekly benefit

amount. An individual shall not be disqualified under this subsection if:

(1) The individual was forced to leave work because of illness or injury upon the advice of a licensed and practicing healthcare provider and, upon learning of the necessity for absence, immediately notified the employer thereof, or the employer consented to the absence, and after recovery from the illness or injury, when recovery was certified by a practicing health care provider, the individual returned to the employer and offered to perform services and the individual's regular work or comparable and suitable work was not available. As used in this paragraph "healthcare provider" means any person licensed by the proper licensing authority of any state to engage in the practice of medicine and surgery, osteopathy, chiropractic, dentistry, optometry, podiatry or psychology;

(2) the individual left temporary work to return to the regular employer;

(3) the individual left work to ~~enlist~~ enter active service in the armed forces of the United States; but was rejected or delayed from entry;

(4) The spouse of an individual who is a member of the armed forces of the United States who left work because of the voluntary or involuntary transfer of the individual's spouse from one job to another job, ~~which that~~ is for the same employer or for a different employer, at a geographic location ~~which that~~ makes it unreasonable for the individual to continue work at the individual's job. For the purposes of this provision ~~the term "member of the armed forces" means active duty a person performing active service~~ in the army, navy, marine corps, air force, space force, coast guard or any ~~branch component~~ of the military reserves of the United States;

(5) the individual left work because of hazardous working conditions; in determining whether or not working conditions are hazardous for an individual, the degree of risk involved to the individual's health, safety and morals, the individual's physical fitness and prior training and the working conditions of workers engaged in the same or similar work for the same and other employers in the locality shall be considered; as used in this paragraph, "hazardous working conditions" means working conditions that could result in a danger to the physical or mental well-being of the individual; each determination as to whether hazardous working conditions exist shall include, but shall not be limited to, a consideration of: (A) The safety measures used or the lack thereof; and (B) the condition of equipment or lack of proper equipment; no work shall be considered hazardous if the working conditions surrounding the individual's work are the same or substantially the same as the working conditions generally prevailing among individuals performing the same or similar work for other employers engaged in the same or similar type of activity;

(6) the individual left work to enter training approved under section 236(a)(1) of the federal trade act of 1974, provided the work left is not of a substantially equal or higher skill level than the individual's past adversely affected employment, as defined for purposes of the federal trade act of 1974, and wages for such work are not less than 80% of the individual's average weekly wage as determined for the purposes of the federal trade act of 1974;

(7) the individual left work because of unwelcome harassment of the individual by the employer or another employee of which the employing unit had knowledge and that would impel the average worker to give up such worker's employment;

(8) the individual left work to accept better work; each determination as to whether or not the work accepted is better work shall include, but shall not be limited to,

consideration of: (A) The rate of pay, the hours of work and the probable permanency of the work left as compared to the work accepted; (B) the cost to the individual of getting to the work left in comparison to the cost of getting to the work accepted; and (C) the distance from the individual's place of residence to the work accepted in comparison to the distance from the individual's residence to the work left;

(9) the individual left work as a result of being instructed or requested by the employer, a supervisor or a fellow employee to perform a service or commit an act in the scope of official job duties ~~which that~~ is in violation of an ordinance or statute;

(10) the individual left work because of a substantial violation of the work agreement by the employing unit and, before the individual left, the individual had exhausted all remedies provided in such agreement for the settlement of disputes before terminating. For the purposes of this paragraph, a demotion based on performance does not constitute a violation of the work agreement;

(11) after making reasonable efforts to preserve the work, the individual left work due to a personal emergency of such nature and compelling urgency that it would be contrary to good conscience to impose a disqualification; or

(12) (A) the individual left work due to circumstances resulting from domestic violence, including:

(i) The individual's reasonable fear of future domestic violence at or en route to or from the individual's place of employment;

(ii) the individual's need to relocate to another geographic area in order to avoid future domestic violence;

(iii) the individual's need to address the physical, psychological and legal impacts of domestic violence;

(iv) the individual's need to leave employment as a condition of receiving services or shelter from an agency ~~which that~~ provides support services or shelter to victims of domestic violence; or

(v) the individual's reasonable belief that termination of employment is necessary to avoid other situations ~~which that~~ may cause domestic violence and to provide for the future safety of the individual or the individual's family.

(B) An individual may prove the existence of domestic violence by providing one of the following:

(i) A restraining order or other documentation of equitable relief by a court of competent jurisdiction;

(ii) a police record documenting the abuse;

(iii) documentation that the abuser has been convicted of one or more of the offenses enumerated in articles 34 and 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54 or 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 21-6104, 21-6325, 21-6326 or 21-6418 through 21-6422, and amendments thereto, where the victim was a family or household member;

(iv) medical documentation of the abuse;

(v) a statement provided by a counselor, social worker, health care provider, clergy, shelter worker, legal advocate, domestic violence or sexual assault advocate or other professional who has assisted the individual in dealing with the effects of abuse on the individual or the individual's family; or

(vi) a sworn statement from the individual attesting to the abuse.

(C) No evidence of domestic violence experienced by an individual, including the

individual's statement and corroborating evidence, shall be disclosed by the department of labor unless consent for disclosure is given by the individual.

(b) If the individual has been discharged or suspended for misconduct connected with the individual's work. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and in cases where the disqualification is due to discharge for misconduct has had earnings from insured work of at least three times the individual's determined weekly benefit amount, except that if an individual is discharged for gross misconduct connected with the individual's work, such individual shall be disqualified for benefits until such individual again becomes employed and has had earnings from insured work of at least eight times such individual's determined weekly benefit amount. In addition, all wage credits attributable to the employment from which the individual was discharged for gross misconduct connected with the individual's work shall be canceled. No such cancellation of wage credits shall affect prior payments made as a result of a prior separation.

(1) ~~For the purposes of this~~As used in this subsection, "misconduct" ~~is defined as~~ means a violation of a duty or obligation reasonably owed the employer as a condition of employment including, but not limited to, a violation of a company rule, including a safety rule, if: (A) The individual knew or should have known about the rule; (B) the rule was lawful and reasonably related to the job; and (C) the rule was fairly and consistently enforced.

(2) (A) Failure of the employee to notify the employer of an absence and an individual's leaving work prior to the end of such individual's assigned work period without permission shall be considered prima facie evidence of a violation of a duty or obligation reasonably owed the employer as a condition of employment.

(B) For the purposes of this subsection, misconduct shall include, but not be limited to, violation of the employer's reasonable attendance expectations if the facts show:

- (i) The individual was absent or tardy without good cause;
- (ii) the individual had knowledge of the employer's attendance expectation; and
- (iii) the employer gave notice to the individual that future absence or tardiness may or will result in discharge.

(C) For the purposes of this subsection, if an employee disputes being absent or tardy without good cause, the employee shall present evidence that a majority of the employee's absences or tardiness were for good cause. If the employee alleges that the employee's repeated absences or tardiness were the result of health related issues, such evidence shall include documentation from a licensed and practicing healthcare provider as defined in subsection (a)(1).

(3) (A) The term "gross misconduct" as used in this subsection shall be construed to mean conduct evincing extreme, willful or wanton misconduct as defined by this subsection. Gross misconduct shall include, but not be limited to: (i) Theft; (ii) fraud; (iii) intentional damage to property; (iv) intentional infliction of personal injury; or (v) any conduct that constitutes a felony.

(B) For the purposes of this subsection, the following shall be conclusive evidence of gross misconduct:

- (i) The use of alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;
- (ii) the impairment caused by alcoholic liquor, cereal malt beverage or a

nonprescribed controlled substance by an individual while working;

(iii) a positive breath alcohol test or a positive chemical test, provided if:

(a) The test was either:

(1) Required by law and was administered pursuant to the drug free workplace act, 41 U.S.C. § 701 et seq.;

(2) administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(3) requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment;

(4) required by law and the test constituted a required condition of employment for the individual's job; or

(5) there was reasonable suspicion to believe that the individual used, had possession of, or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;

(b) the test sample was collected either:

(1) As prescribed by the drug free workplace act, 41 U.S.C. § 701 et seq.;

(2) as prescribed by an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(3) as prescribed by the written policy of the employer of which the employee had knowledge and ~~which that~~ constituted a required condition of employment;

(4) as prescribed by a test ~~which that~~ was required by law and which constituted a required condition of employment for the individual's job; or

(5) at a time contemporaneous with the events establishing probable cause;

(c) the collecting and labeling of a chemical test sample was performed by a licensed health care professional or any other individual certified pursuant to paragraph (b)(3)(A)(iii)(f) or authorized to collect or label test samples by federal or state law, or a federal or state rule or regulation having the force or effect of law, including law enforcement personnel;

(d) the chemical test was performed by a laboratory approved by the United States department of health and human services or licensed by the department of health and environment, except that a blood sample may be tested for alcohol content by a laboratory commonly used for that purpose by state law enforcement agencies;

(e) the chemical test was confirmed by gas chromatography, gas chromatography-mass spectroscopy or other comparably reliable analytical method, except that no such confirmation is required for a blood alcohol sample or a breath alcohol test;

(f) the breath alcohol test was administered by an individual trained to perform breath tests, the breath testing instrument used was certified and operated strictly according to a description provided by the manufacturers and the reliability of the instrument performance was assured by testing with alcohol standards; and

(g) the foundation evidence establishes, beyond a reasonable doubt, that the test results were from the sample taken from the individual;

(iv) an individual's refusal to submit to a chemical test or breath alcohol test, provided if:

(a) The test meets the standards of the drug free workplace act, 41 U.S.C. § 701 et seq.;

(b) the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(c) the test was otherwise required by law and the test constituted a required condition of employment for the individual's job;

(d) the test was requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment; or

(e) there was reasonable suspicion to believe that the individual used, possessed or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working; and

(v) an individual's dilution or other tampering of a chemical test.

(C) For purposes of this subsection:

(i) "Alcohol concentration" means the number of grams of alcohol per 210 liters of breath;

(ii) "alcoholic liquor" means the same as ~~provided~~ defined in K.S.A. 41-102, and amendments thereto;

(iii) "cereal malt beverage" means the same as ~~provided~~ defined in K.S.A. 41-2701, and amendments thereto;

(iv) "chemical test" includes, but is not limited to, tests of urine, blood or saliva;

(v) "controlled substance" means the same as ~~provided~~ defined in K.S.A. 21-5701, and amendments thereto;

(vi) "required by law" means required by a federal or state law, a federal or state rule or regulation having the force and effect of law, a county resolution or municipal ordinance, or a policy relating to public safety adopted in an open meeting by the governing body of any special district or other local governmental entity;

(vii) "positive breath test" means a test result showing an alcohol concentration of 0.04 or greater, or the levels listed in 49 C.F.R. part 40, if applicable, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" ~~shall mean~~ means a test result showing an alcohol concentration at or above the levels provided for in the assistance or treatment program; and

(viii) "positive chemical test" means a chemical result showing a concentration at or above the levels listed in K.S.A. 44-501, and amendments thereto, or 49 C.F.R. part 40, as applicable, for the drugs or abuse listed therein, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" means a chemical result showing a concentration at or above the levels provided for in the assistance or treatment program.

(4) An individual shall not be disqualified under this subsection if the individual is discharged under the following circumstances:

(A) The employer discharged the individual after learning the individual was seeking other work or when the individual gave notice of future intent to quit, except that the individual shall be disqualified after the time ~~at which that~~ such individual intended to quit and any individual who commits misconduct after such individual gives notice to such individual's intent to quit shall be disqualified;

(B) the individual was making a ~~good-faith~~ good faith effort to do the assigned

work but was discharged due to:

- (i) Inefficiency;
- (ii) unsatisfactory performance due to inability, incapacity or lack of training or experience;
- (iii) isolated instances of ordinary negligence or inadvertence;
- (iv) ~~good faith~~ good faith errors in judgment or discretion; or
- (v) unsatisfactory work or conduct due to circumstances beyond the individual's control; or

(C) the individual's refusal to perform work in excess of the contract of hire.

(c) If the individual has failed, without good cause, to either apply for suitable work when so directed by the employment office of the secretary of labor, or to accept suitable work when offered to the individual by the employment office, the secretary of labor, or an employer, such disqualification shall begin with the week in which such failure occurred and shall continue until the individual becomes reemployed and has had earnings from insured work of at least three times such individual's determined weekly benefit amount. In determining whether or not any work is suitable for an individual, the secretary of labor, or a person or persons designated by the secretary, shall consider the degree of risk involved to health, safety and morals, physical fitness and prior training, experience and prior earnings, length of unemployment and prospects for securing local work in the individual's customary occupation or work for which the individual is reasonably ~~fitted~~ fit by training or experience, and the distance of the available work from the individual's residence. Notwithstanding any other provisions of this act, an otherwise eligible individual shall not be disqualified for refusing an offer of suitable employment, or failing to apply for suitable employment when notified by an employment office, or for leaving the individual's most recent work accepted during approved training, including training approved under section 236(a)(1) of the trade act of 1974, if the acceptance of or applying for suitable employment or continuing such work would require the individual to terminate approved training and no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(1) If the position offered is vacant due directly to a strike, lockout or other labor dispute;

(2) if the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

(3) if as a condition of being employed, the individual would be required to join or to resign from or refrain from joining any labor organization; and

(4) if the individual left employment as a result of domestic violence, and the position offered does not reasonably accommodate the individual's physical, psychological, safety, or legal needs relating to such domestic violence.

(d) For any week with respect to which the secretary of labor, or a person or persons designated by the secretary, finds that the individual's unemployment is due to a stoppage of work ~~which~~ that exists because of a labor dispute or there would have been a work stoppage had normal operations not been maintained with other personnel previously and currently employed by the same employer at the factory, establishment or other premises at which the individual is or was last employed, except that this

subsection (d) shall not apply if it is shown to the satisfaction of the secretary of labor, or a person or persons designated by the secretary, that:

(1) The individual is not participating in or financing or directly interested in the labor dispute ~~which that~~ caused the stoppage of work; and

(2) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises ~~at which where~~ the stoppage occurs any of whom are participating in or financing or directly interested in the dispute. If in any case separate branches of work ~~which that~~ are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purpose of this subsection be deemed to be a separate factory, establishment or other premises. For the purposes of this subsection, failure or refusal to cross a picket line or refusal for any reason during the continuance of such labor dispute to accept the individual's available and customary work at the factory, establishment or other premises where the individual is or was last employed shall be considered as participation and interest in the labor dispute.

(e) For any week ~~with respect to which~~ or a part of the week in which the individual has received or is seeking unemployment benefits under the unemployment compensation law of any other state or of the United States, except that if the appropriate agency of such other state or the United States finally determines that the individual is not entitled to such unemployment benefits, this disqualification shall not apply.

(f) For any week ~~with respect to in~~ which the individual is entitled to receive any unemployment allowance or compensation granted by the United States under an act of congress to ~~ex-service men and women~~ former members of the armed forces in recognition of former service with the military ~~or~~, naval, air or space services of the United States.

(g) If the individual, or another in such individual's behalf with the knowledge of the individual, has knowingly made a false statement or representation, or has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor, unless the individual has repaid the full amount of the overpayment as determined by the secretary or the secretary's designee, including, but not limited to, the total amount of money erroneously paid as benefits or unlawfully obtained, interest, penalties and any other costs or fees provided by law. If the individual has made such repayment, the individual shall be disqualified for a period of one year for the first occurrence or five years for any subsequent occurrence, beginning with the first day following the date the department of labor confirmed the individual has successfully repaid the full amount of the overpayment. In addition to the penalties set forth in K.S.A. 44-719, and amendments thereto, an individual who has knowingly made a false statement or representation or who has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor shall be liable for a penalty in the amount equal to 25% of the amount of benefits unlawfully received. Notwithstanding any other provision of law, such penalty shall be deposited into the employment security trust fund. No person who is a victim of identify theft shall be subject to the provisions of this subsection. The secretary shall investigate all cases of an alleged false statement or

representation or failure to disclose a material fact to ensure no victim of identity theft is disqualified, required to repay or subject to any penalty as provided by this subsection as a result of identity theft.

(h) For any week ~~with respect to~~ in which the individual is receiving compensation for temporary total disability or permanent total disability under the workmen's compensation law of any state or under a similar law of the United States.

(i) For any week of unemployment on the basis of service in an instructional, research or principal administrative capacity for an educational institution as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or terms or, when an agreement provides instead for a similar period between two regular but not successive terms during such period or during a period of paid sabbatical leave provided for in the individual's contract, if the individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms.

(j) For any week of unemployment on the basis of service in any capacity other than service in an instructional, research, or administrative capacity in an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or terms if the individual performs such services in the first of such academic years or terms and there is a reasonable assurance that the individual will perform such services in the second of such academic years or terms, except that if benefits are denied to the individual under this subsection and the individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and ~~for which such~~ benefits were denied solely by reason of this subsection.

(k) For any week of unemployment on the basis of service in any capacity for an educational institution as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during an established and customary vacation period or holiday recess, if the individual performs services in the period immediately before such vacation period or holiday recess and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(l) For any week of unemployment on the basis of any services, ~~substantially all of which consist~~ consisting of participating in sports or athletic events or training or preparing to so participate, if such week begins during the period between two successive sport seasons or similar period if such individual performed services in the first of such seasons or similar periods and there is a reasonable assurance that such individual will perform such services in the later of such seasons or similar periods.

(m) For any week on the basis of services performed by an alien unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the

federal immigration and nationality act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of such individual's alien status shall be made except upon a preponderance of the evidence.

(n) For any week in which an individual is receiving a governmental or other pension, retirement or retired pay, annuity or other similar periodic payment under a plan maintained by a base period employer and to which the entire contributions were provided by such employer, except that:

(1) If the entire contributions to such plan were provided by the base period employer but such individual's weekly benefit amount exceeds such governmental or other pension, retirement or retired pay, annuity or other similar periodic payment attributable to such week, the weekly benefit amount payable to the individual shall be reduced, but not below zero, by an amount equal to the amount of such pension, retirement or retired pay, annuity or other similar periodic payment ~~which that~~ is attributable to such week; or

(2) if only a portion of contributions to such plan were provided by the base period employer, the weekly benefit amount payable to such individual for such week shall be reduced, but not below zero, by the prorated weekly amount of the pension, retirement or retired pay, annuity or other similar periodic payment after deduction of that portion of the pension, retirement or retired pay, annuity or other similar periodic payment that is directly attributable to the percentage of the contributions made to the plan by such individual; or

(3) if the entire contributions to the plan were provided by such individual, or by the individual and an employer, or any person or organization, who is not a base period employer, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection; or

(4) whatever portion of contributions to such plan were provided by the base period employer, if the services performed for the employer by such individual during the base period, or remuneration received for the services, did not affect the individual's eligibility for, or increased the amount of, such pension, retirement or retired pay, annuity or other similar periodic payment, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection. No reduction shall be made for payments made under the social security act or railroad retirement act of 1974.

(o) For any week of unemployment on the basis of services performed in any capacity and under any of the circumstances described in subsection (i), (j) or (k) that an individual performed in an educational institution while in the employ of an educational service agency. For the purposes of this subsection, the term "educational service agency" means a governmental agency or entity ~~which that~~ is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(p) For any week of unemployment on the basis of service as a school bus or other motor vehicle driver employed by a private contractor to transport pupils, students and school personnel to or from school-related functions or activities for an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, if such week

begins during the period between two successive academic years or during a similar period between two regular terms, whether or not successive, if the individual has a contract or contracts, or a reasonable assurance thereof, to perform services in any such capacity with a private contractor for any educational institution for both such academic years or both such terms. An individual shall not be disqualified for benefits as provided in this subsection for any week of unemployment on the basis of service as a bus or other motor vehicle driver employed by a private contractor to transport persons to or from nonschool-related functions or activities.

(q) For any week of unemployment on the basis of services performed by the individual in any capacity and under any of the circumstances described in subsection (i), (j), (k) or (o) ~~which that~~ are provided to or on behalf of an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, while the individual is in the employ of an employer ~~which that~~ is a governmental entity, Indian tribe or any employer described in section 501(c)(3) of the federal internal revenue code of 1986 ~~which that~~ is exempt from income under section 501(a) of the code.

(r) For any week in which an individual is registered at and attending an established school, training facility or other educational institution, or is on vacation during or between two successive academic years or terms. An individual shall not be disqualified for benefits as provided in this subsection ~~provided if~~:

(1) The individual was engaged in full-time employment concurrent with the individual's school attendance;

(2) the individual is attending approved training as defined in K.S.A. 44-703(s), and amendments thereto; or

(3) the individual is attending evening, weekend or limited day time classes, ~~which that~~ would not affect availability for work, and is otherwise eligible under K.S.A. 44-705(c), and amendments thereto.

(s) For any week ~~with respect to in~~ which an individual is receiving or has received remuneration in the form of a back pay award or settlement. The remuneration shall be allocated to the week or weeks in the manner as specified in the award or agreement, or in the absence of such specificity in the award or agreement, such remuneration shall be allocated to the week or weeks ~~in for~~ which such remuneration, in the judgment of the secretary, would have been paid.

(1) For any such weeks that an individual receives remuneration in the form of a back pay award or settlement, an overpayment will be established in the amount of unemployment benefits paid and shall be collected from the claimant.

(2) If an employer chooses to withhold from a back pay award or settlement, amounts paid to a claimant while they claimed unemployment benefits, such employer shall pay the department the amount withheld. With respect to such amount, the secretary shall have available all of the collection remedies authorized or provided in K.S.A. 44-717, and amendments thereto.

(t) (1) Any applicant for or recipient of unemployment benefits who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary of labor, secretary of commerce or secretary for children and families, and a job skills program approved by the secretary of labor, secretary of commerce or the secretary for children and families. Subject to applicable federal laws, any applicant for or recipient of unemployment benefits who fails to complete or refuses to participate in the

substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive unemployment benefits until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of unemployment benefits may be subject to periodic drug screening, as determined by the secretary of labor. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or recipient of unemployment benefits shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from unemployment benefits for a period of 12 months, or until such applicant for or recipient of unemployment benefits completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or a recipient of unemployment benefits shall be terminated from receiving unemployment benefits, subject to applicable federal law.

(2) Any individual who has been discharged or refused employment for failing a preemployment drug screen required by an employer may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any such individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening.

(u) If the individual was found not to have a disqualifying adjudication or conviction under K.S.A. 39-970 or 65-5117, and amendments thereto, was hired and then was subsequently convicted of a disqualifying felony under K.S.A. 39-970 or 65-5117, and amendments thereto, and discharged pursuant to K.S.A. 39-970 or 65-5117, and amendments thereto. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and has had earnings from insured work of at least three times the individual's determined weekly benefit amount.

(v) Notwithstanding the provisions of any subsection, an individual shall not be disqualified for such week of part-time employment in a substitute capacity for an educational institution if such individual's most recent employment prior to the individual's benefit year begin date was for a non-educational institution and such individual demonstrates application for work in such individual's customary occupation or for work for which the individual is reasonably ~~fitted~~ fit by training or experience.

Sec. 13. K.S.A. 48-3401 is hereby amended to read as follows: 48-3401. As used in K.S.A. 48-3401 through 48-3405 ~~of this act, and amendments thereto:~~

(a) "Military Active service" means service on active duty performed by a licensee ~~in who is a member of~~ the army, navy, marine corps, air force, space force, air or army national guard of any of the several states and territories, Puerto Rico and the District of Columbia, coast guard or any ~~branch component~~ of the military reserves of the United States.

(b) "License" means any permit, certificate, authority, privilege or registration whether temporary or permanent issued, granted or made by the state of Kansas or any officer, board, department or commission or agency thereof authorizing a person to engage in or practice an occupation or profession in this state.

(c) "Licensee" means a person who had, at the time of commencing a period of military service, a valid, existing license to engage in or practice an occupation or profession in this state. "Licensee" also means a person who, while ~~in military~~

performing active service, obtains a valid license to engage in or practice an occupation or profession in this state.

Sec. 14. K.S.A. 2023 Supp. 48-3407 is hereby amended to read as follows: 48-3407. (a) ~~For the purposes of~~ As used in this section:

(1) "Applicant" means a person who entered into ~~military active~~ service and separated from such ~~military active~~ service with an honorable discharge or a general discharge under honorable conditions;

(2) "licensing body" ~~has the meaning ascribed thereto~~ means the same as defined in K.S.A. 74-146, and amendments thereto, except for licensing boards under K.S.A. 65-1116 and 65-6129, and amendments thereto; and

(3) "~~military active~~ service" means service on active duty performed by a member of the army, navy, marine corps, air force, space force, air or army national guard of any state of the several states and territories, Puerto Rico and the District of Columbia, coast guard or any branch component of the military reserves of the United States.

(b) (1) Notwithstanding any other provision of law, upon presentation of a completed application by an applicant with an honorable discharge for certification or licensure, a licensing body shall accept education, training or service completed in ~~military active~~ service by the applicant towards any educational requirements for certification or licensure in this state if the applicant demonstrates to the satisfaction of the licensing body that such education, training or service obtained is substantially equivalent to the existing educational requirements of such licensure or certification. No education, training or service shall count towards any examination requirements unless such licensing body has provided a waiver for such requirement. The licensing body may require the applicant to provide documentation of such education, training or service as deemed necessary by the licensing body to determine substantial equivalency.

(2) A licensing board under this section may accept education, training or service completed in ~~military active~~ service towards any educational requirements for certification or licensure in this state if an applicant was separated from ~~military service~~ the armed forces with a general discharge under honorable conditions.

(c) Each licensing body may adopt rules and regulations necessary to implement and carry out the provisions of this section.

(d) This section shall not apply to the practice of law or the regulation of attorneys pursuant to K.S.A. 7-103, and amendments thereto.

Sec. 15. K.S.A. 2023 Supp. 48-3408 is hereby amended to read as follows: 48-3408. (a) ~~For the purposes of~~ As used in this section:

(1) "Accreditation" ~~has the meaning ascribed thereto~~ means the same as defined in K.S.A. 74-32,163, and amendments thereto;

(2) "accredited educational institution" means an educational institution that has achieved and maintained accreditation;

(3) "applicant" means a person who entered into ~~military active~~ service and separated from such ~~military service~~ the armed forces under conditions other than dishonorable;

(4) "community college" means any community college established under the laws of this state;

(5) "distance education course" means a course consisting solely or primarily of instruction provided online or in other computer-assisted formats, or by correspondence, audiotape, videotape or other media;

(6) "educational institution" means any postsecondary educational institution, private postsecondary educational institution and out-of-state postsecondary educational institution;

(7) "institute of technology" or "Washburn institute of technology" means the institute of technology at Washburn university;

(8) "licensing body" ~~has the meaning ascribed thereto~~ means the same as defined in K.S.A. 74-146, and amendments thereto;

(9) ~~"military active service"~~ means service on active duty performed by a member of the army, navy, marine corps, air force, space force, air or army national guard of any state of the several states and territories, Puerto Rico and the District of Columbia, coast guard or any branch component of the military reserves of the United States;

(10) "municipal university" means Washburn university of Topeka or any other municipal university established under the laws of this state;

(11) "out-of-state postsecondary educational institution" ~~has the meaning ascribed thereto~~ means the same as defined in K.S.A. 74-32,163, and amendments thereto;

(12) "postsecondary educational institution" means any state educational institution, municipal university, community college, technical college and institute of technology, and includes any entity resulting from the consolidation or affiliation of any two or more of such postsecondary educational institutions;

(13) "private postsecondary educational institution" ~~has the meaning ascribed thereto~~ means the same as defined in K.S.A. 74-32,163, and amendments thereto;

(14) "state educational institution" means ~~any state educational institution,~~ the same as defined in K.S.A. 76-711, and amendments thereto; and

(15) "technical college" means any technical college established under the laws of this state.

(b) Notwithstanding any other provision of law, a licensing body may authorize any educational requirements for certification or licensure in this state to be waived if an applicant provides satisfactory evidence of completion of a distance education course. To qualify for such a waiver, the distance education course must be:

(1) Provided by an accredited educational institution; and

(2) Substantially equivalent to the educational standards required for certification or licensure in this state.

(c) Each licensing body may adopt rules and regulations necessary to implement and carry out the provisions of this section.

(d) This section shall not apply to the practice of law or the regulation of attorneys pursuant to K.S.A. 7-103, and amendments thereto.

Sec. 16. K.S.A. 2023 Supp. 48-3601 is hereby amended to read as follows: 48-3601. (a) A current member of the armed forces of the United States or the member's spouse or dependent child who is enrolled or has been accepted for admission at a postsecondary educational institution as a postsecondary student shall be deemed to be a resident of the state for the purpose of tuition and fees for attendance at such postsecondary educational institution.

(b) A person is entitled to pay tuition and fees at an institution of higher education at the rates provided for Kansas residents without regard to the length of time the person has resided in the state if the person:

(1) (A) Files a letter of intent to establish residence in the state with the postsecondary educational institution at which the person intends to register;

(B) lives in the state while attending the postsecondary educational institution; and
 (C) is eligible for benefits under the federal post-9/11 veterans educational assistance act of 2008, 38 U.S.C. § 3301 et seq., or any other federal law authorizing educational benefits for veterans;

(2) (A) is a veteran;

(B) was stationed in Kansas for at least 11 months during active service in the armed forces or had established residency in Kansas prior to active service in the armed forces; and

(C) lives in Kansas at the time of enrollment; or

(3) (A) is the spouse or dependent of a veteran who was stationed in Kansas for at least 11 months during such veteran's period of active service in the armed forces or had established residency in Kansas prior to active service in the armed forces; and

(B) lives in Kansas at the time of enrollment.

(c) As used in this section:

(1) "Armed forces" means the army, navy, marine corps, air force, space force, coast guard, Kansas army or air national guard or any ~~branch~~ component of the military reserves of the United States;

(2) "postsecondary educational institution" means the same as ~~provided~~ defined in K.S.A. 74-3201b, and amendments thereto; and

(3) "veteran" means a person who ~~has been separated from the armed forces and was honorably discharged or received a general discharge under honorable conditions served in the active military, naval, air or space service and who was discharged or released therefrom under an honorable discharge or a general discharge under honorable conditions.~~

(d) This section shall be a part of and supplemental to chapter 48 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 17. K.S.A. 2023 Supp. 50-676 is hereby amended to read as follows: 50-676. As used in K.S.A. 50-676 through 50-679, and amendments thereto:

(a) "Elder person" means a person who is 60 years of age or older.

(b) "Disabled person" means a person who has physical or mental impairment, or both, that substantially limits one or more of such person's major life activities.

(c) "Immediate family member" means parent, child, stepchild or spouse.

(d) "Major life activities" includes functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(e) "Member of the ~~military armed forces~~" means a ~~member of the armed forces or national guard on active duty or a member of an active reserve unit in the armed forces or national guard person performing active service in the army, navy, marine corps, air force, space force, coast guard or any component of the military reserves of the United States.~~

(f) "Physical or mental impairment" means the following:

(1) Any physiological disorder or condition, cosmetic disfigurement or anatomical loss substantially affecting one or more of the following body systems:

(A) Neurological;

(B) musculoskeletal;

(C) special sense organs;

(D) respiratory, including speech organs;

- (E) cardiovascular;
- (F) reproductive;
- (G) digestive;
- (H) genitourinary;
- (I) hemic and lymphatic;
- (J) skin; or
- (K) endocrine; or
- (2) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness and specific learning disabilities.

The term "physical or mental impairment" includes, but is not limited to, orthopedic, visual, language and hearing disorders, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability and emotional illness.

- (g) "Protected consumer" means:
 - (1) An elder person;
 - (2) a disabled person;
 - (3) a veteran;
 - (4) the surviving spouse of a veteran;
 - (5) a member of the ~~military armed forces~~; and
 - (6) an immediate family member of a member of the ~~military armed forces~~.
- (h) "Substantially limits" means:
 - (1) Unable to perform a major life activity that the average person in the general population can perform; or
 - (2) significantly restricted as to the condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner or duration under which the average person in the general population can perform that same major life activity. Minor temporary ailments or injuries shall not be considered physical or mental impairments that substantially limit a person's major life activities. Minor temporary ailments include, but are not limited to, colds, influenza or sprains or minor injuries.

(i) "Veteran" means a person who ~~has served in the armed forces of the United States and separated from the armed forces under honorable conditions~~ active military, naval, air or space service and who was discharged or released therefrom under an honorable discharge or a general discharge under honorable conditions.

Sec. 18. K.S.A. 65-1116 is hereby amended to read as follows: 65-1116. (a) *Qualification.* An applicant for a license to practice as a licensed practical nurse shall:

- (1) Have graduated from an approved school of practical nursing or professional nursing in the United States or its territories or from a school of practical nursing or professional nursing in a foreign country ~~which that~~ is approved by the board as defined in rules and regulations;
- (2) have obtained other qualifications not in conflict with this act as the board may prescribe by rule and regulation; and
- (3) file with the board a written application for a license.
- (b) If the board finds in evaluating any applicant that such applicant is deficient in qualification or in the quality of such applicant's educational experience, the board may require such applicant to fulfill such remedial or other requirements as the board may prescribe.

(c) *License.* (1) The board shall issue a license to an applicant to practice as a practical nurse who has:

- (A) Met the qualifications set forth in subsections (a) and (b);
- (B) passed a written examination as prescribed by the board; and
- (C) no disqualifying factors under K.S.A. 65-1120, and amendments thereto.

(2) The board may issue a license to practice nursing as a practical nurse to an applicant who has been duly licensed as a practical nurse by examination under the laws of another state or territory if, in the opinion of the board, the applicant meets the qualifications required of a practical nurse in this state. Verification of the applicant's licensure status shall be required from the original state of licensure.

(3) The board may authorize the educational requirement under subsection (a)(1) to be waived for an applicant who has attained a passing score on the national council licensure examination for practical nurses and provided evidence to the board of such applicant's practical nursing experience with the military during a period of active service as a member of the armed forces. To qualify for such a waiver, the applicant ~~must~~ shall have been a member or is a current member of the army, navy, marine corps, air force, space force, air or army national guard of any of the several states and territories, Puerto Rico and the District of Columbia, coast guard or any ~~branch component~~ of the military reserves of the United States; and separated from such military period of active service with an honorable discharge. Current members of the armed forces are presumed to be serving honorably. If such applicant was separated from such ~~military period of active~~ service with a general discharge under honorable conditions and meets the requirements of this paragraph, the board may authorize the educational requirements under subsection (a)(1) be waived.

(4) *Refresher course.* Notwithstanding the provisions of subsections (a) and (b), an applicant for a license to practice as a licensed practical nurse who has not been licensed to practice practical nursing for five years preceding application shall be required to successfully complete a refresher course as defined by the board.

(5) *Renewal license.* A licensed practical nurse licensed under this act shall be eligible for renewal licenses upon compliance with K.S.A. 65-1117, and amendments thereto.

(6) *Licensure examination within 24 months of graduation.* (A) Persons who do not take the licensure examination within 24 months after graduation shall petition the board for permission prior to taking the licensure examination. The board may require the applicant to submit and complete a plan of study prior to taking the licensure examination.

(B) Persons who are unsuccessful in passing the licensure examination within 24 months after graduation shall petition the board for permission prior to subsequent attempts. The board may require the applicant to submit and complete a plan of study prior to taking the licensure examination a subsequent time. The study plan shall contain subjects related to deficiencies identified on the failed examination profiles.

(7) An application for initial licensure or endorsement will be held awaiting completion of meeting qualifications for a time period specified in rules and regulations.

(d) *Title and abbreviation.* Any person who holds a license to practice as a licensed practical nurse in this state shall have the right to use the title, "licensed practical nurse," and the abbreviation, "L.P.N." No other person shall assume the title or use the

abbreviation or any other words, letters, signs or figures to indicate that the person is a licensed practical nurse.

(e) *Temporary permit.* The board may issue a temporary permit to practice nursing as a licensed practical nurse for a period not to exceed 120 days. A temporary permit for 120 days may be issued to an applicant for licensure as a licensed practical nurse who is a graduate of a practical school of nursing in a foreign country after verification of licensure in that foreign country and approval of educational credentials.

(f) *Exempt license.* The board may issue an exempt license to any licensee as defined in rules and regulations who makes written application for such license on a form provided by the board, who remits a fee as established pursuant to K.S.A. 65-1118, and amendments thereto, and who is not regularly engaged in the practice of practical nursing in Kansas but volunteers practical nursing service or is a charitable health care provider as defined by K.S.A. 75-6102, and amendments thereto. Each exempt licensee shall be subject to all provisions of the nurse practice act, except as otherwise provided in this subsection—(f). Each exempt license may be renewed biennially subject to the provisions of this section. The holder of the exempt license shall not be required to submit evidence of satisfactory completion of a program of continuing nursing education for renewal. To convert an exempt license to an active license, the exempt licensee shall meet all the requirements of subsection (c) or K.S.A. 65-1117, and amendments thereto. The board shall have authority to write rules and regulations to carry out the provisions of this section.";

On page 12, following line 21, by inserting:

"Sec. 21. K.S.A. 2023 Supp. 65-6129 is hereby amended to read as follows: 65-6129. (a) (1) Application for an emergency medical service provider certificate shall be made to the board. The board shall not grant an emergency medical service provider certificate unless the applicant meets the following requirements:

(A) (i) Has successfully completed coursework required by the rules and regulations adopted by the board;

(ii) has successfully completed coursework in another jurisdiction that is substantially equivalent to that required by the rules and regulations adopted by the board; or

(iii) has provided evidence that such applicant holds a current and active certification with the national registry of emergency medical technicians, completed emergency medical technician training as a member of the army, navy, marine corps, air force, space force, air or army national guard of any of the several states and territories, Puerto Rico and the District of Columbia, coast guard or any ~~branch component~~ of the military reserves of the United States that is substantially equivalent to that required by the rules and regulations adopted by the board, and such applicant separated from such military period of active service as a member of the armed forces with an honorable discharge. Applicants currently performing active service as a member of the armed forces are presumed to be serving honorably;

(B) (i) has passed the examination required by the rules and regulations adopted by the board; or

(ii) has passed the certification or licensing examination in another jurisdiction that has been approved by the board; and

(C) has paid an application fee required by the rules and regulations adopted by the board.

(2) The board may grant an emergency medical service provider certificate to any applicant who meets the requirements under subsection (a)(1)(A)(iii) but was separated from such ~~military period of active service as a member of the armed forces~~ with a general discharge under honorable conditions.

(b)(1) The emergency medical services board may require an original applicant for certification as an emergency medical services provider to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The emergency medical services board is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The emergency medical services board may use the information obtained from fingerprinting and the applicant's criminal history for purposes of verifying the identification of the applicant and making the official determination of the qualifications and fitness of the applicant to be issued or to maintain a certificate.

(2) Local and state law enforcement officers and agencies shall assist the emergency medical services board in taking the fingerprints of applicants for license, registration, permit or certificate. The Kansas bureau of investigation shall release all records of adult convictions, nonconvictions or adjudications in this state and any other state or country to the emergency medical services board.

(3) The emergency medical services board may fix and collect a fee as may be required by the board in an amount equal to the cost of fingerprinting and the criminal history record check. The emergency medical services board shall remit all moneys received from the fees established by this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the emergency medical services criminal history and fingerprinting fund.

(4) There is hereby created in the state treasury the emergency medical services criminal history and fingerprinting fund. All moneys credited to the fund shall be used to pay the Kansas bureau of investigation for the processing of fingerprints and criminal history record checks for the emergency medical services board. The fund shall be administered by the emergency medical services board. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the emergency medical services board or the chairperson's designee.

(c) The board shall not grant an initial advanced emergency medical technician certificate or paramedic certificate as a result of successful course completion in the state of Kansas, ~~unless~~ except if the applicant for such an initial certificate is certified as an emergency medical technician.

(d) An emergency medical service provider certificate shall expire on the date prescribed by the board. An emergency medical service provider certificate may be renewed for a period of two years upon payment of a fee as prescribed by rule and regulation of the board and upon presentation of satisfactory proof that the emergency medical service provider has successfully completed continuing education as prescribed by the board.

(e) All fees received pursuant to the provisions of this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and

amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the emergency medical services operating fund established by K.S.A. 65-6151, and amendments thereto.

(f) If a person who was previously certified as an emergency medical service provider applies for an emergency medical service provider's certificate after the certificate's expiration, the board may grant a certificate without the person completing an initial course of instruction or passing a certification examination if the person has completed education requirements and has paid a fee as specified in rules and regulations adopted by the board.

(g) The board shall adopt, through rules and regulations, a formal list of graduated sanctions for violations of article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, that shall specify the number and severity of violations for the imposition of each level of sanction.

Sec. 22. K.S.A. 73-201 is hereby amended to read as follows: 73-201. (a) As used in this act:

(1) "Veteran" means:

(A) ~~Any person who entered the armed forces before October 15, 1976, and separated from the armed forces under honorable conditions, if such person served:~~

(i) ~~On active duty during any war (the official dates for war service are April 6, 1917 through July 2, 1921, and December 7, 1941 through April 28, 1952);~~

(ii) ~~during the period April 28, 1952 through July 1, 1955;~~

(iii) ~~in any campaign or expedition for which a campaign badge or service medal has been authorized; or~~

(iv) ~~for more than 180 consecutive days since January 31, 1955, but before October 15, 1976, excluding an initial period of active duty for training under the "six-month" reserve or national guard program;~~

(B) ~~any person who entered the armed forces on or after October 15, 1976, and separated from the armed forces under honorable conditions, if such person was awarded a service medal or campaign badge~~ A person who served in the active military, naval, air or space service and who was discharged or released therefrom under an honorable discharge or a general discharge under honorable conditions;

~~(C)(B) any person who separated from the armed forces under honorable conditions and has a disability certified by the United States department of veterans affairs as being service connected, has been issued the purple heart by the United States government or has been released from active service with a service-connected disability who:~~

~~(1) Served in the active military, naval, air or space service and who was discharged therefrom under an honorable discharge or a general discharge under honorable conditions;~~

~~(2) received a disability that was incurred or aggravated in the line of duty in the active military, naval, air or space service; and~~

~~(3) has a disability certified by the Kansas commission on veterans affairs office as being service-connected, pursuant to 38 U.S.C. § 1101 et seq. or 10 U.S.C. § 1201 et seq.;~~

~~(D)(C) the spouse of a service-connected disabled veteran who has a 100% service connected disability as determined by the United States department of veteran affairs with a permanent and total combined service-connected evaluation percentage of 100%;~~

~~(E)(D)~~ the unremarried surviving spouse of a veteran who died while, and as a result of, serving in armed forces in the line of duty in the active military, naval, air or space service; and

~~(F)(E)~~ the spouse of a prisoner of war, as defined by K.S.A. 75-4364, and amendments thereto.

~~Notwithstanding the foregoing, the term "Veteran" shall preference in government employment shall~~ not apply to any person who retired from the active military service with the pay grade of 04 or above unless the person retired due to wounds received in combat or is a disabled veteran with a service-connected disability evaluation rating equal to or greater than 10%, pursuant to 38 U.S.C. § 1101 et seq. or 10 U.S.C. § 1201 et seq.

(2) "Competent" means a good faith determination that the person is likely to successfully meet the performance standards of the position based on what a reasonable person knowledgeable in the operation of the position would conclude from all information available at the time the ~~decision determination~~ is made. The basis for such determination shall include experience, training, education, licensure, certification ~~and/or or~~ other factors determined by the decision-making authority as appropriate to determine the applicant's overall qualification and ability to successfully meet the performance standards of the position. The decision-making authority shall document such factors prior to the initiation of the selection process.

(3) "Disabled veteran" means a person who ~~has;~~

~~(A) Served on in the active duty in the armed forces, has been separated therefrom under honorable conditions, and has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a public statute administered by the department of veterans affairs or a military department military, naval, air or space service and was discharged or released therefrom under an honorable discharge or a general discharge under honorable conditions;~~

~~(B) received a disability that was incurred or aggravated in the line of duty in the active military, naval air or space service; and~~

~~(C) has a service-connected evaluation percentage, pursuant to 38 U.S.C. § 1101 et seq. or 10 U.S.C. § 1201 et seq.~~

(b) In grateful recognition of the services, sacrifices and sufferings of veterans who served in the army, navy, air force, coast guard or marine corps of the United States in world war I and world war II, and of persons who have served with the armed forces of the United States during the military, naval and air operations in Korea, ~~Viet Nam~~ Vietnam, Iraq, Afghanistan or other places under the flags of the United States and the United Nations or under the flag of the United States alone, and have been honorably discharged therefrom, the provisions of this section are enacted.

(c) Veterans shall be preferred for initial employment and first promotion in the state government of Kansas, and in the counties and cities of this state, if competent to perform such services. Any veteran thus preferred shall not be disqualified from holding any position in such service on account of the veteran's age or by reason of any physical or mental disability as long as such age or disability does not render the veteran incompetent to perform the duties of the position applied for. When any veteran shall apply for appointment to any such position, place, or employment, the officer, board or person whose duty it is or may be to appoint a person to fill such position, place or

employment shall, if the applicant be a veteran of good reputation, and can competently perform the duties of the position applied for by the veteran, consider the veteran for appointment to such position, place, or employment. Within 30 days of filling a position, eligible veterans who have applied and are not hired shall be notified by certified mail or personal service that they are not being hired. Such notice also shall advise the veteran of any administrative appeal available.

(d) The provisions of this act shall not be applicable to any persons classed as conscientious objectors. The provisions of this act shall not be controlling over the provisions of any statute, county resolution or city ordinance relating to retirement; or termination on the basis of age, of employees of the state or any county or city. Whenever under any statute, county resolution or city ordinance, retirement; or termination on the basis of age; of any employee is required at a certain age; or is optional with the employer at a certain age, ~~such provisions of~~ such statute, resolution or ordinance shall be controlling and shall not be limited by this section.

(e) (1) All notices of job openings, if any, and all applications for employment, if any, by the state and any city or county in this state shall state that the job is subject to a veteran's preference, how the preference works and how veterans may take advantage of the preference and post a written statement of:

- ~~(1)~~(A) The qualifications for such position;
- ~~(2)~~(B) any preferred qualifications of such position;
- ~~(3)~~(C) performance standards for the position; and
- ~~(4)~~(D) the process that will be used for selection.

(2) A veteran, ~~or a veteran's spouse or surviving spouse~~ who qualifies for the veteran's preference, desiring to use a veteran's preference shall provide the hiring authority with a copy of the veteran's ~~DD214 form or the DD214 form of the veteran~~ DD form 214, DD form 1300, NGB form 22 or other official discharge document recognized by the department of veterans affairs under which the spouse qualifies for the preference.

(f) Every employment center of the state and any city or county human resources department, if any, shall openly display documents that indicate that veterans are eligible for a preference in their initial employment and any first promotion within the employment of the governmental entity.

(g) Any veteran who alleges that a state agency, city or county has not provided the veterans preference as required by this act, after exhausting any available administrative remedy, may bring an action in the district court.";

On page 13, in line 23, by striking "which" and inserting "that"; in line 33, by striking "has" and inserting ":

(A)";

Also on page 13, also in line 33, by striking "armed"; by striking all in lines 34 through 37; in line 38, by striking all before the period and inserting "active military, naval, air or space service and who was discharged or released therefrom under conditions other than dishonorable;

(B) received a disability that was incurred or aggravated in the line of duty in the active military, naval, air or space service;

(C) has a service-connected evaluation percentage equal to or greater than 30% pursuant to 38 U.S.C. § 1101 et seq. or 10 U.S.C. § 1201 et seq.";

On page 19, in line 39, by striking all after "who"; in line 40, by striking all before

"and" and inserting "served in the active military, naval or air service"; in line 41, by striking all before the second "in" and inserting "performed active service";

On page 30, in line 30, by striking "enlistment" and inserting "entry into active service"; in line 31, by striking "any" and inserting "a"; also in line 31, by striking all after "person"; also in line 32, by striking all before the period and inserting "who served in the active military, naval, air or space service and who was discharged under conditions other than dishonorable";

On page 39, in line 1, by striking all after "person"; by striking all in lines 2 through 7; in line 8, by striking all before the semicolon and inserting "who:

(A) Served in the active military, naval, air or space service and who was discharged or released therefrom under conditions other than dishonorable;

(B) received a disability that was incurred or aggravated in the line of duty in the active military, naval, air or space service; and

(C) has a service-connected evaluation percentage equal to or greater than 10% pursuant to 38 U.S.C. § 1101 et seq. 10 U.S.C. § 1201 et seq.;"

Also on page 39, in line 15, after "51" by inserting "of such business"; in line 18, after "operations" by inserting "of such business";

On page 60, following line 21, by inserting:

"Sec. 74. K.S.A. 2023 Supp. 79-4502 is hereby amended to read as follows: 79-4502. As used in this act, unless the context clearly indicates otherwise:

(a) "Income" means the sum of adjusted gross income under the Kansas income tax act effective for tax year 2013 and thereafter without regard to any modifications pursuant to K.S.A. 79-32,117(b)(xx) through (xxiii) and (c)(xx), and amendments thereto, maintenance, support money, cash public assistance and relief, not including any refund granted under this act, the gross amount of any pension or annuity, including all monetary retirement benefits from whatever source derived, including but not limited to, all payments received under the railroad retirement act, except disability payments, payments received under the federal social security act, except that for determination of what constitutes income such amount shall not exceed 50% of any such social security payments and shall not include any social security payments to a claimant who prior to attaining full retirement age had been receiving disability payments under the federal social security act in an amount not to exceed the amount of such disability payments or 50% of any such social security payments, whichever is greater, all dividends and interest from whatever source derived not included in adjusted gross income, workers compensation and the gross amount of "loss of time" insurance. Income does not include gifts from nongovernmental sources or surplus food or other relief in kind supplied by a governmental agency, nor shall net operating losses and net capital losses be considered in the determination of income. Income does not include veterans disability ~~pensions~~ compensation. Income does not include disability payments received under the federal social security act.

(b) "Household" means a claimant, a claimant and spouse who occupy the homestead or a claimant and one or more individuals not related as husband and wife who together occupy a homestead.

(c) "Household income" means all income received by all persons of a household in a calendar year while members of such household.

(d) "Homestead" means the dwelling, or any part thereof, owned and occupied as a residence by the household and so much of the land surrounding it, as defined as a

home site for ad valorem tax purposes, and may consist of a part of a multi-dwelling or multi-purpose building and a part of the land upon which it is built or a manufactured home or mobile home and the land upon which it is situated. "Owned" includes a vendee in possession under a land contract, a life tenant, a beneficiary under a trust and one or more joint tenants or tenants in common.

(e) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was:

(1) For purposes of a claim under K.S.A. 79-4508, and amendments thereto:

(A) A person having a disability;

(B) a person who is 55 years of age or older;

(C) a disabled veteran;

(D) the surviving spouse of ~~active-duty military personnel~~ a deceased member of the armed forces who died in the line of duty during a period of active service; or

(E) a person other than a person included under subparagraph (A), (B), (C) or (D) having one or more dependent children under 18 years of age residing at the person's homestead during the calendar year immediately preceding the year in which a claim is filed under this act; or

(2) for purposes of a claim under K.S.A. 2023 Supp. 79-4508a, and amendments thereto:

(A) A person who is 65 years of age or older; or

(B) a disabled veteran.

The surviving spouse of a disabled veteran who was receiving benefits pursuant to subsection (e)(1)(C) at the time of the veterans' death, shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

When a homestead is occupied by two or more individuals and more than one of the individuals is able to qualify as a claimant, the individuals may determine between them as to whom the claimant will be. If they are unable to agree, the matter shall be referred to the secretary of revenue whose decision shall be final.

(f) "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1979 or any calendar year thereafter by the state of Kansas and the political and taxing subdivisions of the state. When a homestead is owned by two or more persons or entities as joint tenants or tenants in common and one or more of the persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on the homestead that reflects the ownership percentage of the claimant's household. For purposes of this act, property taxes are "levied" when the tax roll is delivered to the local treasurer with the treasurer's warrant for collection. When a claimant and household own their homestead part of a calendar year, "property taxes accrued" means only taxes levied on the homestead when both owned and occupied as a homestead by the claimant's household at the time of the levy, multiplied by the percentage of 12 months that the property was owned and occupied by the household as its homestead in the year. When a household owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of the taxes allocable to those several properties while occupied by the household as its homestead during the year. Whenever a homestead is an integral part of

a larger unit such as a multi-purpose or multi-dwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For the purpose of this act, the word "unit" refers to that parcel of property covered by a single tax statement of which the homestead is a part.

(g) "Disability" means:

(1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of the preceding sentence (with respect to any individual), "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; for purposes of this subsection, a "physical or mental impairment" is an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time.

(h) "Blindness" means central visual acuity of $20/200$ or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of $20/200$ or less.

(i) "Disabled veteran" means a person who is a resident of Kansas and ~~has been honorably discharged from active service in any branch of the armed forces of the United States or Kansas national guard and who has been certified by the United States department of veterans affairs or its successor to have a 50% or greater permanent disability sustained through military action or accident or resulting from disease contracted while in such active service who:~~

(1) Served in the active military, naval, air or space service and who was discharged or released therefrom under an honorable discharge or a general discharge under honorable conditions;

(2) received a disability that was incurred or aggravated in the line of duty in the active military, naval, air or space service; and

(3) has a service-connected evaluation percentage equal to or greater than 50%, pursuant to 38 U.S.C. § 1101 et seq. or 10 U.S.C. § 1201 et seq.;

Also on page 60, in line 22, by striking "60."; also in line 22, after "K.S.A." by inserting "8-160, 8-243, 8-1324,"; also in line 22, after "65-2418," by inserting "44-706, 48-3401, 65-1116,"; also in line 22, after "65-2418," by inserting "73-201,"; in line 29, after "32-934," by inserting "48-3407, 48-3408, 48-3601, 50-676, 65-6129,"; in line 30,

by striking "and" and inserting a comma; also in line 30, after "77-440" by inserting "and 79-4502";

And by renumbering sections accordingly;

On page 1, in the title, in line 6, after the semicolon by inserting "prescribing documentation requirements to determine eligibility for benefits derived from a service-connected disability; requiring that federal disability determinations be probative; prohibiting state agencies and municipalities from reconsidering a veteran's disability determination; modifying the definition of veteran and disabled veteran; clarifying disability evaluations for benefits granted to disabled veterans; clarifying the definition of armed forces; updating the definition of armed forces to include the space force;"; also in line 6, after "K.S.A." by inserting "8-160, 8-243, 8-1324,"; also in line 6, after the second comma by inserting "44-706, 48-3401, 65-1116,"; also in line 6, after "65-2418," by inserting "73-201,"; in line 14, after the first comma by inserting "48-3407, 48-3408, 48-3601, 50-676, 65-6129,"; also in line 14, by striking the first "and" and inserting a comma; also in line 14, after "77-440" by inserting "and 79-4502";

And your committee on conference recommends the adoption of this report.

RICK BILLINGER

JR CLAEYS

PAT PETTEY

Conferees on part of Senate

RONALD ELLIS

MIKE DODSON

VIRGIL WEIGEL

Conferees on part of House

Senator Billinger moved the Senate adopt the Conference Committee Report on **HB 2760**.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Claeys, O'Shea, Ryckman.

The Conference Committee Report was adopted.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SB 430, SB 462 reported correctly enrolled, properly signed and presented to the Governor on April 5, 2024.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of April 1 through April 5, 2024:

Senator Bowers: congratulating Jaden Ney on winning the 4-1A Girls State Wrestling Championship, congratulating Rodney Palen on receiving the NFOA Active Official Award for Section 5, congratulating Wade Gerstner on receiving the 2024 KSHSAA

Sportscaster of the Year Award, congratulating Justin Shoonover on receiving the KSHSAA Outstanding Service Award;

Senator Claeys: congratulating Koen Oxford on achieving the rank of Eagle Scout;

Senator Dietrich: congratulating the Washburn Rural Chess Team on winning the 2024 State Championship;

Senator Faust Goudeau: honoring the life of Anniece Berry, celebrating the 90th Church Anniversary of the Mount Olive Church of God in Christ in Wichita;

Senator Holscher: commending Kansas DECA for their outstanding service in our schools and communities; and

Senator Reddi: congratulating and commending AmeriCorps Retired Seniors Volunteer Program on their 50th Anniversary, congratulating Kyle Weidenheimer on achieving the rank of Eagle Scout, congratulating Joseph Knell on achieving the rank of Eagle Scout, congratulating Brett Buhrman on achieving the rank of Eagle Scout, congratulating Connor Andresen on achieving the rank of Eagle Scout, congratulating Dylan Jacklovich on achieving the rank of Eagle Scout, congratulating Mya Black on achieving the rank of Eagle Scout, congratulating Hana Moeller on achieving the rank of Eagle Scout, congratulating Connor Buchanan on achieving the rank of Eagle Scout, congratulating Macoy Linck on achieving the rank of Eagle Scout, congratulating Pierson Linck on achieving the rank of Eagle Scout.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Thursday, April 25, 2024.

Journal of the Senate

SIXTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, April 25, 2024, 9:00 a.m.

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

MESSAGES FROM THE GOVERNOR

SB 430 approved on April 11, 2024

SB 345, SB 379, SB 405 approved on April 12, 2024

SB 462 approved on April 15, 2024

H Sub SB 73 approved on April 19, 2024

SB 18, SB 115, SB 356, SB 359, SB 384, SB 455 approved on April 22, 2024

SB 19; Sub SB 143; SB 292; Sub SB 349; SB 458 approved on April 23, 2024

SB 333, SB 410, SB 438 approved on April 24, 2024

REGARDING SENATE BILL 394

While well-meaning in its efforts to protect children from content the legislature considers 'harmful to minors,' this bill is vague in its application and may end up infringing on constitutional rights, which is an issue being litigated in other jurisdictions over similar bills. For that reason, I will allow this bill to become law without my signature.

THE GOVERNOR'S OFFICE
BY THE GOVERNOR
LAURA KELLY
DATED April 12, 2024

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Kansas Workers Compensation Fund Year End Report FY 2023, Kansas Insurance Department

Kansas Enterprise Zone Act Annual Report, Kansas Department of Revenue
2023 Civil Asset Forfeiture Report, Kansas Bureau of Investigation

MESSAGE FROM THE HOUSE

The House not adopts the Conference Committee report on **HB 2176**, requests a conference and appoints Representatives Smith, A., Bergkamp and Sawyer as Second conferees on the part of the House.

The House adopts the Conference Committee report on **HB 2098**.

The House adopts the Conference Committee report on **S Sub HB 2144**.

The House adopts the Conference Committee report on **S Sub HB 2036**.

The House adopts the Conference Committee report on **H Sub SB 287**.

The House not adopts the Conference Committee report on **HB 2096**, requests a conference and appoints Representatives Smith, A., Bergkamp and Sawyer as Second conferees on the part of the House.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SR 1754, SR 1755 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 8, 2024.

SB 18; H Sub SB 73; SB 115, SB 356, SB 359, SB 384, SB 455 reported correctly enrolled, properly signed and presented to the Governor on April 12, 2024.

SB 19, SB 28; Sub SB 143, Sub SB 271; SB 292, SB 333; Sub SB 349; SB 410, SB 438, SB 458, SB 473 reported correctly enrolled, properly signed and presented to the Governor on April 15, 2024.

On motion of Senator Petersen, the Senate adjourned until 10:00 a.m., Friday, April 26, 2024.

Journal of the Senate

SIXTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, April 26, 2024, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 37 senators present.
Senators Haley, Ryckman and Shallenburger were excused.
The President introduced guest Chaplain, Doug Henkle, to deliver the invocation:

Dear Heavenly Father, I come to You, this morning, in the powerful name of Jesus. Thank You that with each new dawn You deliver to our door a fresh, new package called "today."

I pray that You would give the members of this chamber newness of thought today. Give them clarity of mind and Godly wisdom. Cause them to be thankful for the opportunity to meet the challenges of today, challenges which can appear overwhelming, with solutions that seem elusive. Remind them that what appears to be an unsolvable problem is actually a rather exhilarating challenge and an opportunity to see Your mighty hand at work.

I pray that at the end of the day their work would lead to sound laws that would honor You and bless the citizens of our state. As the work in this session approaches a conclusion, cause us to finish strong, to Your glory. Fill this chamber with peace, Father, Your peace, which is far beyond our understanding. Give us a sense of inner peace; peace with You, peace with ourselves and peace with one another. Cause us, today and every day, to be people who model responsibility, who promote fairness, loyalty, respect for others, and who hold to strong, upright convictions.

I pray for President Masterson, Vice President Wilborn, Majority Leader Alley and Minority Leader Sykes. Bless them with a renewed vision for Your will as they lead in this chamber to a conclusion that honors and blesses You.

In Jesus' Name, Amen!

The Pledge of Allegiance was led by President Masterson.

POINT OF PERSONAL PRIVILEGE

Senator O'Shea rose on a Point of Personal Privilege to share the following remarks:
"As the session comes to a close, I want to take a moment to thank my constituents, my family and my Senate colleagues. While I will not be seeking reelection at the end of this term, it has been an honor and a privilege to serve my community and our state these past four years. This experience has been filled with milestones for me, both personally and professionally. At 27, I was the youngest woman to be elected to the Kansas Senate, and I am grateful to my constituents for believing in me and entrusting

me with that honor. In my first year, my husband and I welcomed our firstborn, and many of you were a special part of our son Leland's first year and my first year of motherhood. Acquired my second business, and, in this last year of my term, Gabriel and I will soon welcome our second child. It is my hope that the path has now been forged for more young women and young moms to seek a seat at the table. Because it is everyday Kansans — moms and dads, retirees and those in the dawn of their careers, people who work hard, play fair, and challenge the status quo — who can and should have the greatest influence on the policy decisions being made for our future. We cannot lose sight of what truly makes the democratic process work — that is, nonpolitical people serving in the political realm. While it is the right time for me to say goodbye to elected office, I am not saying goodbye to service. Service has been an important part of my life and it will continue to be through my businesses, through motherhood and through my community involvement. Thank you again for the opportunity to serve alongside you. May God bless the decision-makers in these halls with humility, curiosity, and courage.”

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and are on file with the Secretary of the Senate:

Notice of Intention to Dispose of Building, USD 373 - Newton Public Schools

MESSAGE FROM THE HOUSE

The House announced the appointment of Representatives Waymaster, Hoffman and Helgerson as conferees on **SB 27** to replace Representatives Sutton, Penn and Neighbor.

The House accedes to the request of the Senate for a conference on **H Sub SB 172** and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House announce the appointment of Representative W. Carpenter, Kessler and Hoye to replace Representatives Sutton, Penn and Neighbor as conferees on **HB 2530**. The House announced the appointment of Representative Howerton to Replace Representative B. Carpenter as a conferee on **H Sub SB 291**

The House accedes to the request of the Senate for a conference on **HB 2784** and has appointed Representatives Landwehr, Eplee and Ruiz, S. as Second conferees on the part of the House.

The House adopts the Conference Committee report on **H Sub SB 387**.

CONSIDERATION OF ORIGINAL MOTIONS

Senator Alley moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **H Sub Sub SB 232; H Sub SB 387; SB 500; HB 2096, HB 2097, HB 2176, HB 2784**. Motion carried.

On motion of Senator Tyson, the Senate acceded to the request of the House for a conference on **HB 2096**.

The President appointed Senators Tyson, Peck and Holland as second conferees on the part of the Senate.

On motion of Senator McGinn, the Senate acceded to the request of the House for a conference on **HB 2176**.

The President appointed Senators McGinn, Bowers and Francisco as second conferees on the part of the Senate.

The motion by Senator Olson on **SB 135** to withdraw from the **Committee on Federal and State Affairs** and advance the bill to **General Orders** was not adopted by the required 24 affirmative votes.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 12; Nays 25; Present and Passing 0; Absent or Not Voting 3.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Holland, Holscher, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Haley, Ryckman, Shallenburger.

The motion by Senator Sykes on **SB 355** to withdraw from the **Committee on Public Health and Welfare** and advance the bill to **General Orders** was not adopted by the required 24 affirmative votes.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 18; Nays 17; Present and Passing 2; Absent or Not Voting 3.

Yeas: Billinger, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Holland, Holscher, Longbine, McGinn, O'Shea, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Masterson, Peck, Pyle, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Kloos, Petersen.

Absent or Not Voting: Haley, Ryckman, Shallenburger.

EXPLANATION OF VOTE

By not expanding Medicaid, Kansas has enjoyed the benefit of being able to assess the impact of other states who have chosen to do so. The results demonstrate beyond a shadow of a doubt that Kansas is wise to preserve Medicaid for those for whom it was created to help. Expanding Medicaid would kick able-bodied adults off affordable or sometimes premium-free private plans and force them onto a government program, thereby crowding out those who are already on waiting lists today. The quality of health care they receive would be diminished and the negative budgetary consequences of such a scheme would be permanent. That is why the Senate is wise to vote down this procedural motion. I vote No. —TY MASTERSON

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 232** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Substitute

for Senate Bill No. 232 with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 11 through 35;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 28; following line 28, by inserting:

"Section 1. K.S.A. 20-165 is hereby amended to read as follows: 20-165. (a) The supreme court shall adopt rules establishing guidelines for the amount of child support to be ordered in any action in this state including, but not limited to, K.S.A. 39-755 and K.S.A. 23-2215, and amendments thereto, article 30 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, and K.S.A. 23-2711, and amendments thereto.

(b) In adopting such rules, the court shall consider all relevant factors, including, but not limited to:

- (1) The needs of the child;
- (2) the standards of living and circumstances of the parents;
- (3) the relative financial means of the parents;
- (4) the earning ability of the parents;
- (5) the need and capacity of the child for education;
- (6) the age of the child;
- (7) the financial resources and earning ability of the child;
- (8) the responsibility of the parents for the support of others; ~~and~~
- (9) the value of services contributed by both parents; ~~and~~
- (10) the direct medical and pregnancy-related expenses of the mother if the child is an unborn child.

(c) The maximum amount of child support to be ordered for the support of an unborn child shall not exceed the direct medical and pregnancy-related expenses of the mother of the unborn child. Pregnancy-related expenses shall not include any costs related to an elective abortion.

(d) The amount of child support determined pursuant to subsection (b)(10) shall be calculated from the date of conception of such unborn child. Interest shall accrue for any such amount of child support at the statutory rate provided under K.S.A. 16-204, and amendments thereto, and shall continue to accrue until the payment of such child support is no longer in arrearage.

(e) As used in this section:

(1) "Elective abortion" means an abortion for any reason other than to prevent the death of the mother upon whom the abortion is performed, except that an abortion may not be deemed one to prevent the death of the mother based on a claim or diagnosis that such mother will engage in conduct that would result in such mother's death; and

(2) "unborn child" means the same as defined in K.S.A. 23-3001, and amendments thereto.

Sec. 2. K.S.A. 23-2205 is hereby amended to read as follows: 23-2205. (a) As used in this act, "parent and child relationship" means the legal relationship existing between a child and the child's biological or adoptive parents incident to which the law confers or imposes rights, privileges, duties and obligations. It includes the mother and child relationship and the father and child relationship.

(b) For purposes of this section, the term "child" includes any unborn child as defined in K.S.A. 23-3001, and amendments thereto.

Sec. 3. K.S.A. 23-3001 is hereby amended to read as follows: 23-3001. (a) In any

action under article 27 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the court shall make provisions for the support and education of the minor children.

(b) Regardless of the type of custodial arrangement ordered by the court, the court may order the child support and education expenses to be paid by either or both parents for any child less than 18 years of age, at which age the support shall terminate unless:

(1) The parent or parents agree, by written agreement approved by the court, to pay support beyond the time the child reaches 18 years of age;

(2) the child reaches 18 years of age before completing the child's high school education in which case the support shall not terminate automatically, unless otherwise ordered by the court, until June 30 of the school year during which the child became 18 years of age if the child is still attending high school; or

(3) the child is still a bona fide high school student after June 30 of the school year during which the child became 18 years of age, in which case the court, on motion, may order support to continue through the school year during which the child becomes 19 years of age so long as the child is a bona fide high school student and the parents jointly participated or knowingly acquiesced in the decision which delayed the child's completion of high school. The court, in extending support pursuant to ~~subsection (b)(3)~~ this paragraph, may impose such conditions as are appropriate and shall set the child support utilizing the guideline table category for 12-year through 18-year-old children. For purposes of this section, "bona fide high school student" means a student who is enrolled in full accordance with the policy of the accredited high school in which the student is pursuing a high school diploma or a graduate equivalency diploma (GED).

(c) ~~Provision for payment of support and educational expenses of a child after reaching 18 years of age if still attending high school shall apply to any child subject to the jurisdiction of the court, including those whose support was ordered prior to July 1, 1992. If an agreement approved by the court prior to July 1, 1992, provides for termination of support before the date provided by subsection (b)(3), the court may review and modify such agreement, and any order based on such agreement, to extend the date for termination of support to the date provided by subsection (b)(3). As used in article 30 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the term "unborn child" means a living individual organism of the species homo sapiens, in utero, at any stage of gestation from fertilization to birth.~~

Also on page 4, in line 29, by striking all after the first "K.S.A."; in line 30, by striking "2203a" and inserting "20-165, 23-2205 and 23-3001"; in line 32, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "and"; by striking all in lines 2 through 5; in line 6, by striking all before the semicolon and inserting "families; relating to orders of child support; providing for child support for unborn children from the date of conception"; also in line 6, by striking all after "K.S.A."; in line 7, by striking all before "and" and inserting "20-165, 23-2205 and 23-3001"; also in line 7, by striking all after "sections"; in line 8, by striking all before the period;

And your committee on conference recommends the adoption of this report.

SUSAN HUMPHRIES

BOB LEWIS

Conferees on part of House

KELLIE WARREN
RICK WILBORN

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **H Sub Sub SB 232**.

On roll call, the vote was: Yeas 25; Nays 12; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Holland, Holscher, McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Haley, Ryckman, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 387** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 387 with House Committee of the Whole amendments, as follows:

On page 2, following line 41, by inserting:

"(f) On the effective date of this act, the \$300,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 2(a) of chapter 98 of the 2023 Session Laws of Kansas from the state general fund in the juvenile transitional crisis center pilot account (652-00-1000-0210) is hereby lapsed.

(g) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (652-00-1000-0053).....\$87,297";

On page 3, by striking all in lines 33 through 43;

On page 4, by striking all in lines 1 through 16; by striking all in lines 19 and 20; by striking all in lines 26 through 43;

On page 5, by striking all in lines 1 through 12; in line 13, by striking all before the period and inserting "*Provided*, That expenditures shall be made by the above agency from the school safety and security grants account for fiscal year 2025 for disbursements of grant moneys approved by the state board of education for the: (1) Acquisition of automated external defibrillators and routine maintenance of such devices; (2) purchase and installation of security cameras that are compatible with the firearm detection software specified in paragraph (3); and (3) notwithstanding the provisions of K.S.A. 72-1151, and amendments thereto, or any other statute, acquisition and implementation of firearm detection software that: (A) Can reduce the threat and impact of gun violence by providing a firearm detection software solution that integrates into existing security camera systems; (B) is designated as qualified anti-terrorism technology under the federal SAFETY act, 6 U.S.C. § 441 et seq.; (C) complies with industry standard information security frameworks, including ISO 27001 and SOC 2 type 2; (D) is managed through a constantly monitored operations center

that is staffed by highly trained analysts to ensure rapid communication of possible threats to end users; (E) is developed in the United States without the use of any third-party or open-source data; (F) is protected by an awarded patent that includes a training database populated with frames of actual videos of firearms that were taken in relevant environments across diverse industries; (G) is utilized in at least 30 states with customers in the public and private sectors; (H) does not store, monetize or collect any biometric data or personally identifiable information; and (I) is able to detect three broad firearm classifications with a minimum of 300 subclassifications and has the ability to detect at least 2,000 permutations: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2025 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the school district that may be used for such purpose: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-3739, and amendments thereto, or any other statute, not less than 30 days following the effective date of this act, the above agency shall publish a list of the entities that provide firearm detection software that meets the requirements of paragraph (3)";

On page 6, in line 10, by striking "\$2,300,000" and inserting "\$1,300,000"; by striking all in lines 11 through 17; in line 20, by striking "\$75,000,000" and inserting "\$65,500,000"; in line 23, by striking "\$75,000,000" and inserting "\$65,500,000"; in line 31, by striking "\$3,670,000" and inserting "\$1,770,000"; by striking all in lines 32 through 39;

On page 7, by striking all in lines 5 through 18;

On page 11, following line 31, by inserting:

"Children's cabinet public-private partnership pilot program.....\$5,000,000

Provided, That all expenditures from the children's cabinet public-private partnership pilot program account shall be provided to a community foundation-led project that funds operational support to childcare providers in rural and frontier communities and can serve as a regional model for addressing childcare supply challenges: *Provided further*, That all such expenditures from such account shall require a match of private moneys on the basis of \$1 state moneys for \$1 private moneys: *And provided further*, That it is the intent of the legislature that the appropriation to the children's cabinet public-private partnership pilot program account made by this act is intended to be a one-time appropriation and that no moneys shall be appropriated to such account for fiscal year 2026.";

On page 13, in line 29, by striking "\$610,518,818" and inserting "\$601,018,818";

On page 14, in line 4, by striking "\$75,000,000" and inserting "sum of \$65,500,000";

On page 17, in line 18, after the semicolon by inserting "and"; in line 20, by striking "; and"; by striking all in line 21; in line 22, by striking all before the period;

On page 18, in line 8, by striking "Commencing in school year 2024-2025,,"; also in line 8, after "each" by inserting "participating";

On page 19, in line 13, after "Each" by inserting "participating"; in line 39, after "Each" by inserting "participating";

On page 21, in line 27, after "(1)" by inserting "Commencing in school year 2030-2031,,";

On page 22, in line 33, after "(2)" by inserting "commencing in school year 2030-2031,,"; in line 42, after "Each" by inserting "participating";

On page 23, in line 7, by striking all after "students"; in line 8, by striking all before "who"; in line 12, after "(i) (1)" by inserting "For school years 2024-2025 and 2025-2026, the provisions of subsections (a) through (h) shall be implemented as a pilot program by 10 school districts selected by the state board of education for participation in such pilot program. When selecting the 10 school districts that will participate in such pilot program, the state board of education shall select a diverse array of school districts with consideration given to a school district's size, location, student demographics and level of staff participation and prior training in the science of reading.

(2) Commencing in school year 2026-2027, the provisions of subsections (a) through (h) shall be implemented by all school districts, including the school districts that participated in the pilot program. A school district that participated in the pilot program may identify new student cohort groups in such school year.

(j) (1)";

Also on page 23, in line 15, after "(A)" by inserting "Subject to the provisions of subsection (i),"; in line 20, after "(B)" by inserting "subject to the provisions of subsection (i),"; in line 25, after "(C)" by inserting "the expenditures made from the school district's at-risk education fund, which shall be submitted:

(i) In school years 2024-2025 and 2025-2026 by the school districts that are participating in the pilot program established pursuant to subsection (i); and

(ii) in school year 2026-2027 and each school year thereafter, by all school districts;

(D)";

Also on page 23, in line 33, by striking "(D)" and inserting "(E)";

On page 24, in line 8, by striking "(j)" and inserting "(k) Commencing in school year 2026-2027,"; in line 9, after "by" by inserting "all"; in line 12, after the second quotation mark by inserting "Commencing in school year 2026-2027,"; in line 18, by striking "(i)" and inserting "(j)";

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

On page 26, in line 23, by striking all after "(f)"; by striking all in lines 24 through 28; in line 29, by striking "(g)";

On page 33, in line 31, by striking all after "section"; by striking all in lines 32 through 37; in line 38, by striking all before the period; in line 40, by striking all after "districts"; in line 41, by striking all before "for";

On page 34, in line 40, after the stricken material by inserting "and"; in line 43 by striking the semicolon;

On page 35, by striking all in lines 1 through 12; in line 13, by striking all before the period; in line 15, by striking all after "aid"; in line 16, by striking ", raised and used";

On page 36, in line 43, by striking all after "than";

On page 37, by striking all in lines 1 and 2; in line 3, by striking all before the period and inserting "\$601,018,818";

On page 46, in line 38, by striking "peer" and inserting "school district";

On page 47, following line 1, by inserting:

(C) If the state board removes any program or service from the state board's list of approved at-risk educational programs and services, a school district that is implementing any such program or service may apply to the state board to continue to

make expenditures from the school district's at-risk education fund for such program or service. When considering any such application, the state board shall require such school district to demonstrate that any of the following improvements are directly attributable to the program or service:

- (i) Academic improvement in either mathematics or English language arts; or
- (ii) an improvement in attendance, college and career readiness measures or the educational climate through a measurable decrease in detentions, expulsions, tardiness or other behavioral issues that hinder student learning.";

Also on page 47, by striking all in lines 7 through 15;

On page 48, in line 34, by striking "peer" and inserting "school district";

On page 1, in the title, in line 9, by striking "to count additional funding"; in line 16, by striking all after the semicolon; in line 17, by striking all before the first "to" and inserting "establishing a pilot program in school years 2024-2025 and 2025-2026 to require certain school districts"; in line 19, after the semicolon by inserting "requiring all school districts to participate in such program commencing in school year 2026-2027"; in line 22, by striking "expenditure" and inserting "expenditures";

And your committee on conference recommends the adoption of this report.

KRISTEY WILLIAMS

JASON GOETZ

VALDENIA WINN

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **H Sub SB 387**.

On roll call, the vote was: Yeas 35; Nays 2; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Steffen, Tyson.

Absent or Not Voting: Haley, Ryckman, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 500** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 2, in line 10, by striking "individual" and inserting "person"; in line 13, by striking "individual's" and inserting "person's";

On page 3, in line 27, after "(C)" by inserting "(i)"; following line 34, by inserting:
 "(ii) The provisions of this subparagraph shall be construed and applied retroactively. A person may petition the district or municipal court in which the person should have complied with the citation that led to a prior violation of this section. If the court determines that the person committed an offense that does not provide the basis for a violation of this section, as amended by this act, the court shall immediately electronically notify the division of vehicles. Upon receipt of such notification from the informing court, the division of vehicles shall terminate any restriction, suspension or suspension action that resulted from the prior violation of this section.";

On page 4, in line 26, by striking "individual" and inserting "person";

On page 5, in line 23, by striking "On and after July 1, 2018,";

On page 8, in line 7, before "As" by inserting "(1) Prior to issuing an order pursuant to this section that notifies the division of vehicles to restrict or suspend a person's driving privileges, the court shall consider:

(A) Waiver or reduction of fees, fines and court costs and allowing for payment plans for any fees, fines and court costs; and

(B) alternative requirements in lieu of restriction or suspension of driving privileges, including, but not limited to, alcohol or drug treatment or community service.

(2) Nothing in this subsection shall be construed to require the court to make written findings or written payment plan orders.

(h) (1) Any conviction for a failure to comply pursuant to this section shall not be considered by the district or municipal court or the division of vehicles in determining suspended or restricted driving privileges if such conviction is more than five years old.

(2) After the expiration of five years from the date of conviction, the division shall notify by mail any persons whose driving privileges were suspended or restricted and have not since been restored. The division shall notify the person that the person may be eligible for driving privileges as a result of the expiration of the five years from the conviction for the failure to comply.

(3) The provisions of this subsection shall be construed and applied retroactively.
 (i)";

And your committee on conference recommends the adoption of this report.

SUSAN HUMPHRIES

BOB LEWIS

DAN OSMAN

Conferees on part of House

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

Senator Wilborn moved the Senate adopt the Conference Committee Report on **SB 500**.

On roll call, the vote was: Yeas 36; Nays 1; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll,

Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

Absent or Not Voting: Haley, Ryckman, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2097** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 7 through 32; following line 32, by inserting:

"New Section 1. Sections 1 through 6, and amendments thereto, shall be known and may be cited as the Kansas film and digital media production development act. The purpose of the Kansas film and digital media production development act is to incentivize film, video or digital media productions in Kansas and facilitate the development and growth of a film, video or digital media production industry and associated businesses supporting the industry in this state.

New Sec. 2. As used in this act:

(a) "Above-the-line personnel" means any individual hired or credited on screen for an eligible production for work on the production or postproduction of film as a:

(1) Principal cast member compensated for the eligible production project at a screen actors guild schedule f or above payment rate; or

(2) producer, screenwriter or director.

(b) "Act" means the Kansas film and digital media production development act.

(c) "Affiliates" means those entities that are included in the production company's affiliated group as defined in section 1504(a) of the internal revenue code, 26 U.S.C. § 1504(a), and all other entities that are 50% or more owned, directly or indirectly, by members of the affiliated group.

(d) "Based in Kansas" or "Kansas-based" means, in reference to a vendor, production company or company, that the vendor, production company or company is subject to income tax liability under the Kansas income tax act and has a physical presence in Kansas and, with respect to a production company, has maintained a physical presence in Kansas for at least six months prior to submitting an application to the secretary pursuant to section 3, and amendments thereto.

(e) "Certified production" or "certified project" means an eligible production that has agreed to one or more qualified Kansas promotions and that has been approved by the secretary of commerce as eligible for tax incentives pursuant to the provisions of section 3, and amendments thereto.

(f) "Crew" means any individual who works on production or postproduction for an eligible production. "Crew" does not include above-the-line personnel.

(g) (1) "Eligible production" or "eligible project" means a production:

(A) (i) Of a new film, video or digital project, or a portion or portions of such project, produced in this state, including a feature film, documentary, series, pilot, movie for television, televised commercial advertisement, music video, video game,

content-based mobile application or a virtual reality, augmented reality, multi-media or new media project;

(ii) produced in whole or in part, in short or in long form, and may include animation, music and green screen, motion capture and similar production techniques;

(iii) fixed on a delivery system including, but not limited to, film format or reels, videotape, computer drive or disc, laser disc or any element of the digital domain, from which the program or completed project is viewed or reproduced; and

(iv) intended for multimarket commercial distribution via theaters, video on demand, direct to DVD, streaming, digital platforms or electronic delivery systems designed for the distribution or playing of interactive games, licensing for exhibition by individual television stations, groups of stations, networks, advertiser-supported sites, cable television stations, streaming companies or public broadcasting stations; and

(B) that incurs or is reasonably anticipated to incur qualified production or postproduction expenses of at least \$50,000, as determined by the secretary.

(2) "Eligible production" or "eligible project" does not include:

(A) The coverage of news or athletic events, local advertising, local interest programming, instructional videos, corporate videos, any project that is not intended for multimarket commercial distribution or any portion of a project not shot, recorded or created in Kansas; and

(B) any production of obscene material or an obscene performance as defined in K.S.A. 2023 Supp. 21-6401, and amendments thereto.

(3) For purposes of the income tax credit as allowed under section 4(f), and amendments thereto, "eligible production" or "eligible project" means the same as defined in paragraphs (1) and (2), except that a production not intended for multimarket commercial distribution may be included and the amount of eligible expenses required shall be at least \$25,000.

(h) "Eligible television series" means a certified series television production project intended for multimarket commercial distribution, with an order for multiple episodes in a single season, not less than 25% of the series season is filmed within Kansas and the production incurs qualifying eligible expenses of more than \$50,000.

(i) "Eligible wages and salaries" means:

(1) (A) Wages or salaries paid by the production company to crew for work in Kansas designated as for production or for postproduction of an eligible production;

(B) for which the production company is required to remit withholding payments to the department of revenue under the Kansas withholding and declaration of estimated tax act; and

(C) at least 10% of the crew are residents of this state. The secretary and the Kansas arts industry director may agree upon a higher percentage requirement; and

(2) the amounts of wages, salaries or payments paid to above-the-line personnel, except that the eligible amount of such wages, salaries or payments shall not comprise more than 25% of qualified production expenditures as defined in subsection (s).

(j) "Film" means a professional single media, multimedia, video or audiovisual program or feature, that may be digital, that is not obscene material or an obscene performance as defined in K.S.A. 2023 Supp. 21-6401, and amendments thereto. "Film" includes, but is not limited to, film produced for an interactive game or a documentary, special, music video, television commercial or television program, or a portion thereof, that is filmed or taped for cable, television, streaming network, national or regional

syndication or for a feature-length motion picture intended for theatrical release or for network, streaming, national or regional syndication or broadcast.

(k) "High-impact production" means a certified production for which production or postproduction expenditures are at least \$50,000,000, and at least $\frac{1}{3}$ of such total expenditures constitute qualified expenditures approved by the secretary of commerce.

(l) "Kansas film media industry development expenditure" means documented financial, promotional or in-kind contributions or educational or workforce development efforts, at standard rates set by the secretary of commerce in consultation with the Kansas creative arts industries commission, in partnership with related Kansas industry labor organizations or educational institutions, toward the furtherance of the Kansas film or digital media industry. Promotional efforts include, but are not limited to, the promotion of the Kansas industry by directors, actors or producers affiliated with the production company's project through social media that is managed by the state, radio or television interviews facilitated by the department of commerce, enhanced screen credit acknowledgments or related events that are facilitated, conducted or sponsored by the secretary of commerce or the Kansas creative arts industries commission.

(m) "Multi-film deal" means a certified project in which a production company films at least 75% of main crew principal photography for three or more films in this state within five years.

(n) "Nonresident crew member" means an individual who is not a Kansas resident and is hired for work on a an eligible production project within this state.

(o) "Production company" means a person, producer or company that produces film for, including, but not limited to, exhibition in theaters, television, interactive games, cable, syndication or streaming networks. "Production company" includes affiliates of a production company when approved by the secretary and identified in the agreement executed pursuant to section 3, and amendments thereto.

(p) (1) "Postproduction expenditures" means expenditures made in Kansas directly for postproduction activities in Kansas for an eligible production by a production company and includes, but are not limited to, the following categories:

(A) Eligible wages or salaries of above-the-line personnel or crew designated as postproduction;

(B) sound synchronization, recording or mixing;

(C) color grading;

(D) editing and related services;

(E) visual effects or special effects;

(F) computer graphics, special effects or animation services;

(G) film processing or format transfers;

(H) music production, recording, mixing or composition;

(I) licensing of music produced in this state or created by a Kansas resident;

(J) rental of facilities or equipment;

(K) leasing of vehicles, including leasing of airplanes, for postproduction-related transportation and costs of food and lodging; and

(L) other direct postproduction costs of an eligible production in accordance with generally accepted entertainment industry practices.

(2) "Postproduction expenditures" does not include:

(A) Goods, equipment or vehicles not purchased, rented or leased in Kansas from a

Kansas-based vendor and when not used in Kansas;

(B) any expenditures for activities, work or services not conducted in Kansas and not performed by a Kansas-based vendor. A vendor that acts as a conduit to enable purchases, rentals or leases to qualify as "production expenditures" that would not otherwise qualify shall not be considered a Kansas-based vendor with respect to such purchases, rentals or leases; or

(C) costs for footage shot outside this state, marketing, story rights or distribution.

(q) (1) "Production expenditures" means expenditures made in Kansas directly related to or used for production activities in this state for an eligible production by a production company, including, but not limited to, the following categories:

(A) Eligible wages or salaries of above-the-line personnel or crew designated as production;

(B) set construction, maintenance, repair or modification, set furnishings and operations, wardrobe, make-up, materials used to construct costumes, props or scenery, accessories and related services;

(C) scripts, musical scores or storyboards and drafting and design supplies;

(D) photography, sound synchronization, lighting and related services;

(E) editing and related services;

(F) rental of buildings, facilities or equipment and leasing of vehicles, including, but not limited to, leasing of airplanes;

(G) transportation costs, including, but not limited to, leasing of vehicles or airplanes, directly related to production activities in Kansas;

(H) food and lodging;

(I) sound recording or mixing services;

(J) computer graphics, special effects and animation services;

(K) film processing or format transfers;

(L) airfare if purchased through a Kansas travel agency;

(M) insurance costs and bonding if purchased through a Kansas insurance agency; and

(N) other direct costs of producing film in accordance with generally accepted entertainment industry practices.

(2) "Production expenditures" does not include:

(A) Goods, equipment or vehicles not purchased, rented or leased in Kansas from a Kansas-based vendor;

(B) any expenditures for activities, work or services not conducted in Kansas and services not performed at the filming site unless the vendor is a Kansas-based vendor; and

(C) postproduction expenditures as defined in subsection (p) when used for postproduction activities.

(r) "Qualified postproduction expenditures" means the funds actually invested and expended by a production company that are postproduction expenditures made in this state and that are directly used in a certified production, including, but not limited to, any Kansas film media industry development expenditures, and approved by the secretary of commerce. "Qualified postproduction expenditures" shall not exceed the usual and customary cost of the goods or services acquired. The secretary of commerce or the secretary of revenue may determine the value of the goods or services for purposes of this section when the buyer and seller are affiliates, or the sale or purchase

is not an arm's length transaction. "Qualified postproduction expenditures" does not include postproduction expenditures for which another taxpayer claims the production tax credit pursuant to section 4, and amendments thereto.

(s) "Qualified production expenditures" means the funds actually invested and expended by a production company that are production expenditures made in this state and directly used in a certified production, including any Kansas film media industry development expenditures, and approved by the secretary of commerce. "Qualified production expenditures" shall not exceed the usual and customary cost of the goods or services acquired. The secretary of commerce or the secretary of revenue may determine the value of the goods or services for purposes of this act when the buyer and seller are affiliates, or the sale or purchase is not an arm's length transaction. "Qualified production expenditures" does not include production expenditures for which another taxpayer claims the production tax credit pursuant to section 4, and amendments thereto. "Qualified production expenditures" does not include wages, salaries or payment paid to above-the-line personnel that constitute more than 25% of total production expenditures.

(t) "Qualified Kansas promotion" means a promotion of this state, approved by the secretary as to content, distribution, duration and placement within a production, video or interactive game or in associated online or other promotions, that consists of a static or animated logo that promotes Kansas, an embedded Kansas promotion or a Kansas advertisement and that may include a link to a Kansas website.

(u) "Secretary" means the secretary of commerce.

(v) "Vendor" means a business that sells or leases goods or services that are related to standard production industry inventory or services. "Vendor" does not include a personal services business.

New Sec. 3. (a) There is hereby created the Kansas film and digital media industry development program. The purpose of the Kansas film and digital media industry development program is to:

(1) Provide tax incentives, including, but not limited to, an income tax credit and a sales tax exemption, for eligible projects produced in Kansas by production companies that meet the requirements of this act and are approved as certified projects by the secretary of commerce; and

(2) provide tax incentives, support programs or services, including, but not limited to, professional development, infrastructure investments and marketing efforts to develop film and digital media industry-related Kansas businesses.

(b) The program shall be administered by the secretary with the assistance of the Kansas creative arts industries commission. The secretary shall consult with the Kansas creative arts industries commission in administering this act to ensure the best possible use of Kansas resources for promoting and developing film and digital media production and related industry in Kansas. In determining whether to approve a project as a certified project, the secretary shall consider the immediate impact and potential future impact of the project on the development and growth of the Kansas film, video and digital media production industry. The secretary may limit, by category, specified eligible expenditures or total amounts of eligible production or postproduction expenditures that may be approved by the secretary as qualified production or postproduction expenditures. The aggregate total amount of income tax credits under this act shall not exceed \$10,000,000 in a tax year. The secretary shall designate 10% of

such total aggregate amount in each tax year for tax credits for Kansas-based production companies to fulfill the purpose of this act as described in subsection (a)(2).

(c) To be eligible for an income tax credit or a sales tax exemption under this act, a production company shall, prior to the commencement of the project or of principal photography, submit the following to the secretary of commerce in the form and manner and with such documentation and other information as required by the secretary:

(1) An application for approval of the production as an eligible production and for designation as a certified production;

(2) evidence of adequate financing for the project;

(3) evidence of a certificate of general liability insurance with a minimum coverage of \$1,000,000, or a greater amount if required by the secretary, and workers compensation coverage in compliance with Kansas law that shall include coverage of employer liability;

(4) a description of the project, timelines and anticipated completion dates, anticipated eligible expenditures and project activities to be conducted in Kansas, anticipated employment of crew or above-the-line personnel who are Kansas residents or use of Kansas-based vendors and any anticipated construction or contribution of production infrastructure or participation in Kansas film and digital media industry development activities; and

(5) an economic impact statement showing the economic impact from the activities of the project. Such economic impact statement shall indicate the impact on the region of the state in which the project production or production-related activities are conducted and any impact on the state as a whole. The secretary may consider the size of the project when determining the scope and information required.

(d) (1) If the secretary determines that the project is an eligible project and approves the application, the production company shall enter into an agreement with the secretary prior to the commencement of the project on such terms and conditions as the secretary may require. Such terms and conditions shall include, but not be limited to, qualified Kansas promotions to be provided and any limitations the secretary may impose on the amounts of eligible production or postproduction expenditures that may be approved by the secretary as qualified expenditures, whether in total or for specified eligible expenditures or specified eligible expenditure categories.

(2) The production company shall agree to the provision of documentation and information to the secretary or the secretary of revenue on a regular basis as requested by the secretary or secretary of revenue to determine qualified expenditures and compliance with the requirements of this act and rules and regulations adopted by the secretary or the secretary of revenue pursuant to this act. The production company shall agree to the provision of information to the secretary on a regular basis as requested by the secretary regarding the progress of the project and estimated completion date.

(3) The terms and conditions shall include provisions for repayment of income tax credits or sales tax exempted if requirements of this act or rules and regulations are not met, provisions requiring cooperation with any audit conducted pursuant to this act and provisions for submission of information as required for publication on the Kansas economic incentive database and for the secretary's reports to the legislature as provided by section 5, and amendments thereto.

(4) The terms and conditions may also include agreements by the production company for the facilitation of, coordination with or provision of support services for

Kansas businesses and organizations to enable participation in the project or the development of the Kansas film and digital media industry.

(5) If the secretary approves the agreement with the production company, the secretary shall authorize the eligible project as a certified project.

(e) Upon approval by the secretary as an eligible and certified project and the execution of the agreement as provided in subsection (d), the secretary may approve an application by the production company for a sales tax exemption for production or postproduction expenditures pursuant to the provisions of K.S.A. 79-3606(ssss), and amendments thereto, and shall notify the applicant and the secretary of revenue of such approval. In considering approval of such sales tax exemption, the secretary shall prioritize expenditures in rural areas or in economically depressed urban areas to the extent feasible. The secretary may require that all or a portion of expenditures eligible for exemption from sales tax be made with businesses located in such areas, as determined by the secretary. A production company receiving a sales tax exemption shall provide the secretary or the secretary of revenue with such documentation as requested by the secretary or the secretary of revenue to demonstrate that expenditures have been made as required.

(f) Prior to receipt by a production company of any income tax credit authorized by section 4, and amendments thereto, the secretary shall examine and determine the amount of eligible production or eligible postproduction expenditures that are qualified production expenditures or qualified postproduction expenditures of the production company and that such expenditures are for a certified production. No expenditure that was exempt from sales taxation pursuant to K.S.A. 79-3606(ssss), and amendments thereto, shall also be a basis for the income tax credit pursuant to section 4, and amendments thereto, unless specifically approved by the secretary. The production company shall provide such information and documentation as requested by the secretary to make such determination. In addition, the production company shall provide evidence as required by the secretary that:

(1) The production company has filed all Kansas tax returns and tax documents required by law and withholding taxes have been submitted as required by law;

(2) all crew who are Kansas residents and Kansas-based vendors have been paid and that there are no pending liens in this state against the production company; and

(3) the certified project for which a sales tax exemption has been granted or an income tax credit is requested has been completed, or in the discretion of the secretary, a phase of the certified project has been completed and adequate assurance, as determined by the secretary, has been provided that the project will be fully completed.

(g) As a condition of receiving any income tax credits pursuant to this act, the production company shall provide the secretary with a report by a certified public accountant licensed to practice in Kansas, prepared at the expense of the applicant, verifying that the expenditures have been made in compliance with the requirements of this act. The report shall be provided with a claim for income tax credits as required by section 4, and amendments thereto, or as required by the secretary.

(h) The secretary shall notify the production company and the secretary of revenue of determinations of qualified expenditures made by the secretary.

(i) The secretary of commerce and the secretary of revenue may adopt rules and regulations to implement the provisions of this act.

New Sec. 4. (a) For tax years 2024 through 2033, for any production company or

its affiliates that make qualified production or qualified postproduction expenditures for a certified production approved by the secretary of commerce as provided by section 3, and amendments thereto, there shall be allowed an income tax credit against the tax imposed under the Kansas income tax act in the amount as determined pursuant to subsection (d) as limited by subsection (h). The tax credit shall be applied against the production company's income tax liability for the taxable year in which the qualified expenditures are made by the production company. If the amount of the tax credit allowed exceeds the production company's income tax liability for the taxable year, the production company may carry over the amount of the tax credit that exceeds such tax liability for deduction from the production company's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from the production company's tax liability, except that no such tax credit shall be carried over for deduction after the 10th taxable year succeeding the year in which the qualified expenditures were made by the production company. If the production company is a corporation having an election in effect under subchapter S of the federal internal revenue code, a partnership or a limited liability company, the credit shall be claimed by the shareholders of such corporation, the partners of such partnership or members of such limited liability company in the same manner as such shareholders, partners or members account for their proportionate shares of the income or loss of the corporation, partnership or limited liability company and in accordance with the agreement executed pursuant to section 3, and amendments thereto. The tax credit may be transferred as provided by subsection (k).

(b) A claim for a tax credit shall be filed with the secretary of revenue as part of a return filed by the production company pursuant to the Kansas income tax act. The order that agreements are executed with the secretary of commerce pursuant to section 3, and amendments thereto, shall determine the order that credit claims are allocated by the secretary of revenue. A claim shall be submitted with a return or amended return within one calendar year of the date of the last eligible production expenditure or the last eligible postproduction expenditure for the certified production that would be eligible for an income tax credit as provided by subsection (a). A request by a production company for an extension of time of up to six months to submit a claim shall be granted by the secretary of revenue. All qualified production expenditures or postproduction expenditures incurred during the taxable year by a production company for a certified production shall be submitted for credit as part of the same income tax return. A tax credit claim for qualified expenditures during a taxable year shall not be divided and submitted with multiple returns or in multiple years.

(c) The claim shall include a copy of the project certification and the determination of qualified production or postproduction expenditures by the secretary of commerce. The claim shall also include a report by a certified public accountant licensed to practice in Kansas, prepared at the expense of the applicant, verifying that the expenditures have been made in compliance with the requirements of this act.

(d) The amount of the tax credit shall be equal to 30% of:

(1) The qualified production expenditures for the certified project; or
(2) the qualified postproduction expenses for a certified project with no qualified production expenses.

(e) The secretary of commerce may approve additional credits as follows:

(1) In addition to the amount authorized by subsection (d)(1):

(A) Up to 5% of the qualified production expenditures for a certified multi-film deal, a certified eligible television series, a certified high-impact production or contributions to film-related infrastructure or workforce development in Kansas, including, but not limited to, contributions to permanent sets, sound stages, film editing facilities, computer graphics, special effects or animation facilities, educational facilities or programs, internships or apprenticeships or equipment for production activities, in the amount such contributions are approved by the secretary of commerce; or

(B) up to 5% for qualified production expenditures for a production if 50% or more of the crew or above-the-line personnel are Kansas residents; or

(2) in addition to the amount authorized under subsection (d)(1) or (2), up to an additional 5%, as determined by the secretary, of the amount of the qualified production expenditures or qualified postproduction expenditures, as applicable, of a certified project of a production company that has previously received an income tax credit under this act with respect to such certified project.

(f) In addition to or in lieu of the credits authorized by subsection (d), as determined by the secretary, a Kansas-based production company that incurs at least \$25,000 in qualified expenditures, including, but not limited to, expenditures for a certified production not intended for multimarket distribution but that otherwise constitute qualified expenditures and meets all other qualifications for a tax credit under this act shall receive a tax credit in the amount of 25% of such qualified expenditures. The tax credit shall be applied against the Kansas-based production company's income tax liability for the taxable year in which the qualified expenditures are made by the Kansas-based production company. If the amount of the tax credit exceeds the Kansas-based production company's income tax liability, the Kansas-based production company may carry over the amount of the tax credit that exceeds such tax liability for deduction from the Kansas-based production company's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from the Kansas-based production company's tax liability, except that no such tax credit shall be carried over for deduction after the 10th taxable year succeeding the year in which the qualified expenditures were made by the Kansas-based production company. If the Kansas-based production company is a corporation having an election in effect under subchapter S of the federal internal revenue code, a partnership or a limited liability company, the credit shall be claimed by the shareholders of such corporation, the partners of such partnership or members of such limited liability company in the same manner as such shareholders, partners or members account for their proportionate shares of the income or loss of the corporation, partnership or limited liability company and in accordance with the agreement executed pursuant to section 3, and amendments thereto. The tax credit may be transferred as provided by subsection (k).

(g) Notwithstanding any other provision of this act, the tax credit amount based on a production or postproduction expenditure for a single individual who meets the definition of individuals who are above-the-line, nonresident personnel shall be limited to not more than \$500,000 in each taxable year.

(h) The maximum cumulative amount of all income tax credits awarded to a production company for a certified project for a taxable year shall not exceed 40% of the total qualified production expenditures or qualified postproduction expenditures made by the production company for that certified project during that taxable year.

(i) For purposes of determining the payment of credit claims pursuant to this section, the secretary of revenue may require that credit claims of affiliates be combined into one claim if necessary to accurately reflect closely integrated activities of affiliates.

(j) If a production company hires another production company to produce a project or contribute elements of a project for pay, the hired company shall be considered a service provider for the hiring company, and the hiring company shall be entitled to the income tax credit authorized by this section.

(k) The tax credit allowed pursuant to this section may be transferred, in whole or in part, by the production company or, as provided by subsection (a), a shareholder, partner or member, to one or more transferees. The transferor shall provide notification and documentation of the transfer or transfers with its claim for a tax credit pursuant to subsection (b) filed with the secretary of revenue in such form and manner as may be required by the secretary of revenue, including all information requested by the secretary of revenue regarding the transferee. The transferor shall make the transfer within the calendar year in which the transferor's claim is made to the secretary of revenue. The credit shall only be transferred once. The transferor may transfer the credit to any individual or entity subject to income tax under the Kansas income tax act. The transferred credit shall be claimed by the transferee against the transferee's Kansas income tax liability in the taxable year the credit was transferred. The amount of the transferred credit that exceeds the transferee's tax liability for such year may be carried over for deduction from the transferee's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from the transferee's tax liability, except that no such tax credit shall be carried over for deduction after the 10th taxable year succeeding the taxable year in which the credit was transferred to the transferee. The transferor or transferee shall provide such documentation of the transfer to the secretary of revenue as may be required by the secretary and at such time as may be required by the secretary.

(l) The aggregate total amount of credits allowed under this section shall not exceed \$10,000,000 in a tax year. Ten percent of such aggregate total in each tax year shall be designated for tax credits to Kansas-based production companies.

New Sec. 5. On or before January 31, 2025, and each January 31 thereafter through January 31, 2034, the secretary of commerce shall submit an annual report to the house of representatives standing committees on commerce, labor and economic development and taxation and the senate standing committees on commerce and assessment and taxation. The report shall include the amounts and recipients of tax incentives approved by the secretary pursuant to this act for the prior year and to the date of the report, anticipated tax incentive amounts for the current year, the production companies that have applied for and that have been certified for projects, a description of ongoing and completed projects and the impact of such projects and the program on the film, video or digital production industry in Kansas. The secretary of revenue shall provide the secretary of commerce with information as necessary for the report in accordance with the terms of the agreements required by section 3, and amendments thereto.

New Sec. 6. No sales tax exemption or income tax credit pursuant to this act shall apply or be awarded for expenditures made on or after January 1, 2034.

New Sec. 7. As used in sections 7 through 9, and amendments thereto:

(a) "Compensation" means payments in the form of contract labor for which the payor is required to provide a federal tax form 1099 to the person paid, wages subject to

withholding tax paid to a part-time employee or full-time employee, or salary or other remuneration. "Compensation" does not include employer-provided retirement, medical or healthcare benefits, reimbursement for travel, meals, lodging or any other expense.

(b) "Qualified employee" means any person employed by a qualified employer who is a resident of Kansas and who is also a member in good standing of the Kansas army or air national guard at some point during the taxable year.

(c) "Qualified employer" means a sole proprietorship, general partnership, limited partnership, limited liability company, corporation, other legally recognized business entity or public entity.

New Sec. 8. (a) For taxable years beginning after December 31, 2024, and ending prior to January 1, 2030, a taxpayer who is a qualified employer shall be allowed a credit against the income, privilege or premium tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, for the total compensation paid during the taxable year to a qualified employee. Except as otherwise provided, the credit shall be in an amount equal to 10% of the compensation paid.

(b) The credit shall not exceed \$1,000 annually for each qualified employee.

(c) The credit shall be applied against the taxpayer's income, privilege or premium tax liability after all other credits allowed under the Kansas income tax act, the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto. The credit shall not be refundable and may not be carried forward.

New Sec. 9. For taxable years beginning after December 31, 2024, and ending prior to January 1, 2030, a taxpayer who is a qualified employee during the taxable year shall be allowed a credit against the tax imposed under the provisions of the Kansas income tax act. The credit shall be deducted from the taxpayer's income tax liability for the taxable year in which the taxpayer is a qualified employee. The credit shall not be refundable and may not be carried forward. The credit shall be 10% of the amount of prorated compensation earned by the qualified employee from any qualified employer during the taxable year. The compensation shall be prorated based on the number of entire months that the qualified employee is a member in good standing of the Kansas army or air national guard during the taxable year, determined on the basis of the date of separation from the Kansas army or air national guard. If the qualified employee is dishonorably discharged, discharged under other than honorable conditions or discharged for bad conduct from the Kansas army or air national guard, no credit shall be allowed. The maximum amount of the credit allowed to a qualified employee each taxable year shall be \$1,000.

New Sec. 10. The Kansas army and air national guard shall send to all members by February 1 of every year a notice as described in this section for any members that were members of the Kansas army or air national guard for the prior tax year. Such notice shall be sent by electronic mail to the member and shall state that the recipient, as a member of the Kansas army or air national guard, may be eligible for the income tax

credit provided by section 9, and amendments thereto, as a result of the individual's service in the Kansas army or air national guard.

Sec. 11. K.S.A. 2023 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, and multi community diversified services, incorporated, located in McPherson, Kansas;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by

such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment

thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to

practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of

a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, "severing" means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that

meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" mean the same as defined in K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(de) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical

equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used to:

(A) Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) guide, control or direct the movement of property undergoing manufacturing or processing;

(E) test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations

necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(II) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering

and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing

support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; ~~and~~

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds; ~~and~~

(25) the friends of cedar crest association for the purpose of providing preservation, restoration and enhancement of cedar crest and to encourage awareness of and contribution to the historic and cultural importance of cedar crest;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of reconstructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers

shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute

invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery,

equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a

single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in

which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and

developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax

otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without

the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such

property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization, which is exempt from federal income taxation

pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC

charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such

property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so

made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used

in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such

organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. For the purposes of this subsection, "bullion" means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form;

(nnnn) all sales of tangible personal property or services purchased by friends of hospice of Jefferson county, an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing support to the Jefferson county hospice agency in end-of-life care of Jefferson county families, friends and neighbors, and all sales of entry or participation fees, charges or tickets by friends of hospice of Jefferson county for such organization's fundraising event for such purpose;

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in K.S.A. 2023 Supp. 74-50,312 and 74-50,319, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce, and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such person shall obtain from the state and furnish to the contractor an exemption certificate

for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "qualified business facility," "qualified firm" and "qualified supplier" mean the same as defined in K.S.A. 2023 Supp. 74-50,311, and amendments thereto;

(pppp) (1) all sales of tangible personal property or services purchased by a not-for-profit corporation that is designated as an area agency on aging by the secretary for aging and disabilities services and is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code for the purpose of coordinating and providing seniors and those living with disabilities with services that promote person-centered care, including home-delivered meals, congregate meal settings, long-term case management, transportation, information, assistance and other preventative and intervention services to help service recipients remain in their homes and communities or for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for such area agency on aging; and

(2) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging that would be exempt from taxation under the provisions of this section if purchased directly by such area agency on aging. Nothing in this paragraph shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging. When an area agency on aging contracts for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and such contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such area agency on aging a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are

found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the area agency on aging concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof, the area agency on aging may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto; ~~and~~

(qqqq) all sales of tangible personal property or services purchased by Kansas suicide prevention HQ, inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of bringing suicide prevention training and awareness to communities across the state;

(rrrr) all sales of tangible personal property purchased by the following not-for-profit corporations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 and operate a theater in the state of Kansas:

- (1) theater Atchison, inc.;
- (2) theater Lawrence, inc.;
- (3) Topeka civic theater and academy inc.;
- (4) great plains theater, inc.;
- (5) Salina community theater association; and
- (6) music theater Wichita, inc.; and

(ssss) all sales of tangible personal property or services constituting production or postproduction expenditures purchased for the purpose of a certified project by a production company that meets the requirements established in section 3, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce and the sale and installation of machinery and equipment constituting production or postproduction expenditures purchased by such production company for use in this state for a certified project. Such sales tax exemptions may be limited by the secretary of commerce as provided by section 3, and amendments thereto. When a production company contracts for construction, reconstruction, enlargement or remodeling of any facility for purposes of a certified project that constitutes a production or postproduction expenditure, the production company shall obtain from the state and furnish to the contractor an exemption certificate for the certified project, and the contractor may purchase materials, machinery and equipment for incorporation in such work. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering such purchases bearing the number of such certificate. Upon completion of the work, the contractor shall furnish to the owner of the

production company a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection and section 3, and amendments thereto. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who uses or otherwise disposes of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "certified project," "postproduction expenditure," "production company" and "production expenditure" mean the same as defined in section 2, and amendments thereto.;

Also on page 1, in line 33, by striking "40-247" and inserting "2023 Supp. 79-3606"; in line 35, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the semicolon and inserting "taxation; enacting the Kansas film and digital media production development act; establishing an income tax credit and sales tax exemption program to be administered by the secretary of commerce for the purpose of developing film, video or digital production in Kansas; relating to income, privilege and premium tax credits; establishing a tax credit for employers that employ members of the Kansas army and air national guard and establishing an income tax credit for employees who are members thereof; requiring notices to be sent to inform such members of possible eligibility for the tax credit; relating to sales tax; providing a sales tax exemption for purchases by certain not-for-profit community theaters and purchases and sales made by the friends of cedar crest association"; in line 4, by striking "40-247" and inserting "2023 Supp. 79-3606";

And your committee on conference recommends the adoption of this report.

VIRGIL PECK
JR CLAEYS
TOM HOLLAND

Conferees on part of Senate

ADAM SMITH
BRIAN BERGKAMP
TOM SAWYER

Conferees on part of House

Senator Claeys moved the Senate adopt the Conference Committee Report on **HB 2097**.

On roll call, the vote was: Yeas 32; Nays 5; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Sykes, Ware, Warren, Wilborn.

Nays: Peck, Steffen, Straub, Thompson, Tyson.

Absent or Not Voting: Haley, Ryckman, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORTS

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2784** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 10, by inserting:

"New Section 1. (a) The state fire marshal and any of the marshal's representatives shall not wear or operate a body camera or other audio or video recording device during an on-site inspection of a licensed care facility or community-based locations where individuals with intellectual and developmental disabilities receive individually planned habilitation services as provided in K.S.A. 39-1804, and amendments thereto.

(b) As used in this section:

(1) "Body camera" means the same as defined in K.S.A. 45-254, and amendments thereto; and

(2) "licensed care facility" includes a child care facility as defined in K.S.A. 65-503, and amendments thereto, a qualified residential treatment program as defined in K.S.A. 38-2202, and amendments thereto, a psychiatric residential treatment facility as defined in K.S.A. 39-2002, and amendments thereto, a secure facility as defined in K.S.A. 38-2202, and amendments thereto, a shelter facility as defined in K.S.A. 38-2202, and amendments thereto, a youth residential facility as defined in K.S.A. 38-2202, and amendments thereto, an adult care home as defined in K.S.A. 39-923, and amendments thereto, and a medical care facility as defined in K.S.A. 65-425, and amendments thereto, except that "licensed care facility" includes a hospice that is certified to participate in the medicare program under 42 C.F.R. § 418.1 et seq.;"

On page 10, following line 11, by inserting:

"Sec. 4. K.S.A. 39-2004 is hereby amended to read as follows: 39-2004. (a) The secretary may adopt rules and regulations necessary to carry out the provisions of this act. Such rules and regulations may prescribe minimum standards and requirements relating to: The location, building, size of centers, facilities and hospitals; environmental standards; capacity; the individuals allowed; the types of services offered; the records to be kept; medication management; policies and procedures specific to centers, facilities, hospitals and providers; the kind and frequency of reports and inventories to be made; and may generally establish such requirements as may be deemed necessary to protect the health, safety, hygiene, welfare and comfort of the individuals.

(b) The authority granted to the secretary under this act is in addition to other statutory authority the secretary has to require the licensing and operation of centers, facilities, hospitals and providers and is not to be construed to limit any of the powers and duties of the secretary under article 59 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(c) Notwithstanding any other provision of law to the contrary, the secretary may waive a requirement of the rules and regulations adopted under this act if the secretary finds that the waiver of the regulatory requirement is in the public interest and will not detrimentally affect the life, safety, health or welfare of any person receiving care or

treatment in a center, facility or hospital licensed under this act or an individual receiving services from a provider licensed under this act.

Sec. 5. K.S.A. 39-2009 is hereby amended to read as follows: 39-2009. (a) As used in this section:

(1) "Applicant" means an individual who applies for employment with a center, facility, hospital or a provider of services or applies to work for an employment agency or as an independent contractor that provides staff to a center, facility, hospital or a provider of services.

(2) "Completion of the sentence" means the last day of the entire term of incarceration imposed by a sentence, including any term that is deferred, suspended or subject to parole, probation, diversion, community corrections, fines, fees, restitution or any other imposed sentencing requirements.

(3) "Department" means the Kansas department for aging and disability services.

(4) "Direct access" means work that involves an actual or reasonable expectation of one-on-one interaction with a consumer or a consumer's property, personally identifiable information, medical records, treatment information or financial information.

(5) "Direct supervision" means that a supervisor is physically present within an immediate distance to a supervisee and is available to provide constant direction, feedback and assistance to a client and the supervisee.

(6) "Employment agency" means an organization or entity that has a contracted relationship with a center, hospital, facility or provider of services to provide staff with direct access to consumers.

(7) "Independent contractor" means an organization, entity, agency or individual that provides contracted workers or services to a center, facility, hospital or provider of services.

(8) "Day service provider" means a provider of day support services for development in self-help, social skills, recreational skills and work skills for adults with intellectual or developmental disabilities that is licensed by the department or a separate and distinct dedicated division of a provider of day support services for development in self-help, social skills, recreational skills and work skills for adults with intellectual or developmental disabilities licensed by the department.

(b) (1) No licensee shall knowingly operate a center, facility, hospital or be a provider of services if any person who works in the center, facility, hospital or for a provider of services has adverse findings on any state or national registry, as defined in rules and regulations adopted by the secretary for aging and disability services, or has been convicted of or has been adjudicated a juvenile offender because of having ~~committing~~ committed an act that ~~which~~, if ~~done~~ committed by an adult, would constitute the commission of capital murder, pursuant to K.S.A. 21-3439, prior to its repeal, or K.S.A. 21-5401, and amendments thereto, first degree murder, pursuant to K.S.A. 21-3401, prior to its repeal, or K.S.A. 21-5402, and amendments thereto, second degree murder, pursuant to K.S.A. 21-3402(a), prior to its repeal, or K.S.A. 21-5403(a), and amendments thereto, voluntary manslaughter, pursuant to K.S.A. 21-3403, prior to its repeal, or K.S.A. 21-5404, and amendments thereto, assisting suicide, pursuant to K.S.A. 21-3406, prior to its repeal, or K.S.A. 21-5407, and amendments thereto, mistreatment of a dependent adult or mistreatment of an elder person, pursuant to K.S.A. 21-3437, prior to its repeal, or K.S.A. 21-5417, and amendments thereto, human

trafficking, pursuant to K.S.A. 21-3446, prior to its repeal, or K.S.A. 21-5426(a), and amendments thereto, aggravated human trafficking, pursuant to K.S.A. 21-3447, prior to its repeal, or K.S.A. 21-5426(b), and amendments thereto, rape, pursuant to K.S.A. 21-3502, prior to its repeal, or K.S.A. 21-5503, and amendments thereto, indecent liberties with a child, pursuant to K.S.A. 21-3503, prior to its repeal, or K.S.A. 21-5506(a), and amendments thereto, aggravated indecent liberties with a child, pursuant to K.S.A. 21-3504, prior to its repeal, or K.S.A. 21-5506(b), and amendments thereto, aggravated criminal sodomy, pursuant to K.S.A. 21-3506, prior to its repeal, or K.S.A. 21-5504(b), and amendments thereto, indecent solicitation of a child, pursuant to K.S.A. 21-3510, prior to its repeal, or K.S.A. 21-5508(a), and amendments thereto, aggravated indecent solicitation of a child, pursuant to K.S.A. 21-3511, prior to its repeal, or K.S.A. 21-5508(b), and amendments thereto, sexual exploitation of a child, pursuant to K.S.A. 21-3516, prior to its repeal, or K.S.A. 21-5510, and amendments thereto, sexual battery, pursuant to K.S.A. 21-3517, prior to its repeal, or K.S.A. 21-5505(a), and amendments thereto, aggravated sexual battery, pursuant to K.S.A. 21-3518, prior to its repeal, or K.S.A. 21-5505(b), and amendments thereto, commercial sexual exploitation of a child, pursuant to K.S.A. 21-6422, and amendments thereto, an attempt to commit any of the crimes listed in this paragraph, pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 21-5301, and amendments thereto, a conspiracy to commit any of the crimes listed in this paragraph, pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 21-5302, and amendments thereto, or criminal solicitation of any of the crimes listed in this paragraph, pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 21-5303, and amendments thereto, or similar statutes of other states or the federal government.

(2)(A) A licensee operating a center, facility or hospital or as a provider of services may employ an applicant who has been convicted of any of the following if six or more years have elapsed since completion of the sentence imposed or the applicant was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; if six or more years have elapsed since a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; or if the applicant has been granted a waiver of such six-year disqualification: A felony conviction for a crime that is described in: ~~(A)(i)~~ Article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, except those crimes listed in paragraph (1); ~~(B)(ii)~~ article 35 or 36 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, prior to their repeal, or article 55 or 56 of chapter 21 of the Kansas Statutes Annotated and amendments thereto, except those crimes listed in paragraph (1); ~~(C)(iii)~~ K.S.A. 21-3701, prior to its repeal, or K.S.A. 21-5801, and amendments thereto; ~~(D)(iv)~~ an attempt to commit any of the crimes listed in this paragraph pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 21-5301, and amendments thereto; ~~(E)(v)~~ a conspiracy to commit any of the crimes listed in this paragraph pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 21-5302, and amendments thereto; ~~(F)(vi)~~ criminal solicitation of any of the crimes listed in this paragraph pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 21-5303, and amendments thereto; or ~~(G)(vii)~~ similar statutes of other states or the federal government.

(B) An individual who has been disqualified for employment due to conviction or

adjudication of an offense listed in this paragraph~~(2)~~ may apply to the secretary for aging and disability services for a waiver of such disqualification if five years have elapsed since completion of the sentence for such conviction. The secretary shall adopt rules and regulations establishing the waiver process and the criteria to be utilized by the secretary in evaluating any such waiver request.

(3)~~(A)~~ A licensee operating a center, facility, hospital or as a provider of services may employ an applicant who has been convicted of any of the following if six or more years have elapsed since completion of the sentence imposed or the applicant was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; if six or more years have elapsed since the applicant has been finally discharged from the custody of the ~~commissioner of juvenile justice~~ secretary of corrections or from probation or has been adjudicated a juvenile offender, whichever time is longer; or if the applicant has been granted a waiver of such six-year disqualification:

(i) Interference with custody of a committed person pursuant to K.S.A. 21-3423, prior to its repeal, or K.S.A. 21-5410, and amendments thereto; mistreatment of a confined person pursuant to K.S.A. 21-3425, prior to its repeal, or K.S.A. 21-5416, and amendments thereto; unlawful administration of a substance pursuant to K.S.A. 21-3445, prior to its repeal, or K.S.A. 21-5425, and amendments thereto; violation of a protective order pursuant to K.S.A. 21-3843, prior to its repeal, or K.S.A. 21-5924; promoting obscenity or promoting obscenity to minors pursuant to K.S.A. 21-4301 or 21-4301a, prior to their repeal, or K.S.A. 21-6401, and amendments thereto; or cruelty to animals pursuant to K.S.A. 21-3727, 21-4310 or 21-4311, prior to their repeal, or K.S.A. 21-6412, and amendments thereto; or

(ii) any felony conviction of: Unlawful manufacture of a controlled substance pursuant to K.S.A. 2010 Supp. 21-36a03, prior to its repeal, or K.S.A. 21-5703, and amendments thereto; unlawful cultivation or distribution of a controlled substance pursuant to K.S.A. 2010 Supp. 21-36a05, prior to its repeal, or K.S.A. 21-5705, and amendments thereto; unlawful manufacture, distribution, cultivation or possession of a controlled substance using a communication facility pursuant to K.S.A. 2010 Supp. 21-36a07, prior to its repeal, or K.S.A. 21-5707, and amendments thereto; unlawful obtainment or sale of a prescription-only drug pursuant to K.S.A. 2010 Supp. 21-36a08, prior to its repeal, or K.S.A. 21-5708, and amendments thereto; unlawful distribution of drug precursors or drug paraphernalia pursuant to K.S.A. 2010 Supp. 21-36a10, prior to its repeal, or K.S.A. 21-5710, and amendments thereto; unlawful distribution or possession of a simulated controlled substance pursuant to K.S.A. 2010 Supp. 21-36a13, prior to its repeal, or K.S.A. 21-5713, and amendments thereto; forgery pursuant to K.S.A. 21-3710, prior to its repeal, or K.S.A. 21-5823, and amendments thereto; criminal use of a financial card pursuant to K.S.A. 21-3729, prior to its repeal, or K.S.A. 21-5828, and amendments thereto; any violation of the Kansas medicaid fraud control act pursuant to K.S.A. 21-3844 et seq., prior to their repeal, or K.S.A. 21-5925 et seq., and amendments thereto; making a false claim, statement or representation to the medicaid program pursuant to K.S.A. 21-3846, prior to its repeal, or K.S.A. 21-5927, and amendments thereto; unlawful acts relating to the medicaid program pursuant to K.S.A. 21-3847, prior to its repeal, or K.S.A. 21-5928, and amendments thereto; obstruction of a medicaid fraud investigation pursuant to K.S.A. 21-3856, prior to its repeal, or K.S.A. 21-5929, and amendments thereto; identity theft or identity fraud

pursuant to K.S.A. 2010 Supp. 21-4018, prior to its repeal, or K.S.A. 21-6107, and amendments thereto; or social welfare fraud pursuant to K.S.A. 39-720, and amendments thereto. The provisions of this paragraph shall not apply to any person who is employed by a center, facility, hospital or provider of services on or before July 1, 2018, and is continuously employed by the same center, facility, hospital or provider of services or to any person during or upon successful completion of a diversion agreement.

(B) An individual who has been disqualified for employment due to conviction or adjudication of an offense listed in this paragraph~~(3)~~ may apply to the secretary for aging and disability services for a waiver of such disqualification if five years have elapsed since completion of the sentence for such conviction or adjudication. The secretary shall adopt rules and regulations establishing the waiver process and criteria to be considered by the secretary in evaluating any such waiver request.

(c) No licensee shall operate a center, facility, hospital or be a provider of services if such ~~person~~ licensee has been found to be an adult with an impairment in need of a guardian or a conservator, or both, as provided in the act for obtaining a guardian or conservator, or both. The provisions of this subsection shall not apply to an individual who, as a minor, was found to be in need of a guardian or conservator for reasons other than impairment.

(d) (1) The Kansas bureau of investigation shall release all records of adult and juvenile convictions and adjudications and adult and juvenile convictions and adjudications of any other state or country concerning persons working in a center, facility, hospital or for a provider of services to the secretary for aging and disability services. The Kansas bureau of investigation may charge to the Kansas department for aging and disability services a reasonable fee for providing criminal history record information under this subsection.

(2) The department shall require an applicant to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the individual and to determine whether the individual has a record of criminal history in this state or other jurisdiction. The department is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The department may use the information obtained from fingerprinting and the criminal history record check for purposes of verifying the identification of the person and for making an official determination of the qualifications and fitness of the person to work in the center, facility, hospital or for a provider of services.

(3) An applicant for employment in ~~an~~ a center, facility, hospital or for a provider of services shall have 20 calendar days after receipt of authorization to submit the applicant's fingerprints through an authorized collection site in order to be eligible for provisional employment or the applicant's application shall be deemed withdrawn.

(4) (A) The current or prospective employer of an applicant shall pay a fee not to exceed \$19 of the total cost for criminal history record information to the department for each applicant submitted.

(B) The prospective employer, employee or independent contractor shall pay the fingerprint collection fee at the time of fingerprinting to the authorized collection site.

(5) If an applicant disputes the contents of a criminal history record check, then the applicant may file an appeal with the Kansas bureau of investigation.

(6) Individuals who have been disqualified for employment by reason of their criminal history records and who have met the requirements of this subsection may apply for a waiver with the department within 30 days of the receipt of the notice of employment prohibition.

(7) The department shall adopt rules and regulations specifying the criteria and procedure for issuing a waiver of the employment prohibition. The secretary shall consider the following criteria when rendering a decision on such a waiver request: Passage of time; extenuating circumstances; demonstration of rehabilitation; and relevancy of the criminal history record information to the position for which the applicant is applying. Any employment prohibition issued shall remain in effect unless or until a waiver is granted.

~~(d)~~(c) The secretary shall provide each licensee requesting information under this section with a pass or fail determination after review of any criminal history record information in writing and within three working days of receipt of such information from the Kansas bureau of investigation or the federal bureau of investigation.

~~(e)~~(f) Any licensee or member of the staff who receives information concerning the fitness or unfitness of any person shall keep such information confidential, except that the staff person may disclose such information to the person who is the subject of the request for information. A violation of this subsection shall be an unclassified misdemeanor punishable by a fine of \$100.

~~(f)~~(g) For the purpose of complying with this section, the licensee operating a center, facility, hospital or a provider of services shall request from the Kansas department for aging and disability services an eligibility determination regarding adult and juvenile convictions and adjudications. For the purpose of complying with this section, the licensee operating a center, facility, hospital or a provider of services shall receive from any employment agency or independent contractor that provides employees to work in the center, facility, hospital or for the provider of services written certification that such employees are not prohibited from working in the center, facility, hospital or for the provider of services under this section. For the purpose of complying with this section, a licensee may hire an applicant for provisional employment on a one-time basis of 60 calendar days pending the results from the Kansas department for aging and disability services of an eligibility determination under this subsection. A provisional employee may only be supervised by an employee who has completed all training required by federal regulations, department rules and regulations and the center's, facility's, hospital's or provider of services' policies and procedures. No licensee, its contractors or employees, shall be liable for civil damages to any person refused employment or discharged from employment by reason of such licensee's compliance with the provisions of this section if such licensee acts in good faith to comply with this section.

~~(g)~~(h) The licensee operating a center, facility, hospital or a provider of services shall not require an applicant under this section to be fingerprinted, if the applicant has been the subject of a criminal history record check under this act within one year prior to the application for employment with the licensee operating a center, facility, hospital or a provider of services and has maintained a record of continuous employment, with no lapse of employment of over 90 days in any center, facility, hospital or a provider of services covered by this act.

Sec. 6. K.S.A. 39-2013 is hereby amended to read as follows: 39-2013. (a)

Whenever the licensing agency finds a ~~substantial~~ failure to comply with the requirements, standards or rules and regulations ~~established~~ adopted under this act, ~~it shall the licensing agency may~~ make an order denying, conditioning, restricting, suspending or revoking the license after issuing a notice and an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto. Any applicant ~~or licensee or person as defined in K.S.A. 39-2014, and amendments thereto,~~ may appeal such order in accordance with the provisions of the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto.

(b) Except as provided in subsection (c), whenever the licensing agency denies, suspends or revokes a license under this section, the applicant or licensee shall not be eligible to apply for a new license or reinstatement of a license for a period of two years from the date of denial, suspension or revocation.

(c) ~~(+)~~ Any applicant or licensee issued an emergency order by the licensing agency denying, suspending or revoking a license under this section may apply for a new license or reinstatement of a license at any time upon submission of a written waiver of any right conferred upon such applicant or licensee under the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, and the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto, to the licensing agency in a settlement agreement or other manner as approved by the licensing agency.

~~(2)~~(d) Any licensee issued a notice of intent to take action by the licensing agency under this section may enter into a settlement agreement, as approved by the licensing agency, with the licensing agency at any time upon submission of a written waiver of any right conferred upon such licensee under the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, and the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto.

~~(4)~~(e) In the event that a community mental health center accredited by the commission on accreditation of rehabilitation facilities or the joint commission, or another national accrediting body approved by the secretary for aging and disability services, loses accreditation by such accrediting entity, the community mental health center shall immediately notify the Kansas department for aging and disability services.

Sec. 7. K.S.A. 39-2016 is hereby amended to read as follows: 39-2016. (a) A correction order may be issued by the secretary or the secretary's designee to a licensee whenever the state fire marshal or the marshal's representative or a duly authorized representative of the secretary inspects or investigates a center, facility, hospital or provider and determines that the center, facility, hospital or provider is not in compliance with the provisions of this act or article 59 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, or rules and regulations ~~promulgated thereunder~~ adopted by the secretary pursuant to such authority and such non-compliance is likely to adversely affect the health, safety, nutrition or sanitation of the individuals or the public. The correction order shall be served upon the licensee either personally or by certified mail, return receipt requested. The correction order shall be in writing, shall state the specific deficiency, cite the specific statutory provision or rule and regulation alleged to have been violated and shall specify the time allowed for correction.

(b) If upon re-inspection by the state fire marshal (b) or the marshal's representative or a duly authorized representative of the secretary, it is found that the licensee has not

corrected the deficiency or deficiencies specified in the correction order, the secretary may assess a civil penalty in an amount not to exceed \$500 per day, per deficiency, against the licensee for each subsequent day ~~subsequent to the day~~ following the time allowed for correction of the deficiency as specified in the correction order, the maximum assessment shall not exceed \$2,500. A written notice of assessment shall be served upon the licensee either personally or by certified mail, return receipt requested. Such notice of assessment shall advise the licensee of the opportunity to be heard in accordance with the Kansas administrative procedure act and to appeal such order in accordance with the provisions of the Kansas judicial review act.

(c) Before the assessment of a civil penalty, the secretary shall consider the following factors in determining the amount of the civil penalty to be assessed:

- (1) The severity of the violation;
- (2) the good faith effort exercised by the center, facility, hospital or provider to correct the violation; and
- (3) the history of compliance of the licensee of the center, facility, hospital or provider with the rules and regulations. If the secretary finds that some or all deficiencies cited in the correction order have also been cited against the center, facility, hospital or provider as a result of any inspection or investigation which occurred within 18 months prior to the inspection or investigation which resulted in such correction order, the secretary may double the civil penalty assessed against the licensee, the maximum not to exceed \$5,000.

(d) All civil penalties assessed shall be due and payable within 10 days after written notice of assessment is served on the licensee, unless a longer period of time is granted by the secretary. If a civil penalty is not paid within the applicable time period, the secretary may file a certified copy of the notice of assessment with the clerk of the district court in the county where the center, facility, hospital or provider is located. The notice of assessment shall be enforced in the same manner as a judgment of the district court.

(e) Any licensee against whom a civil penalty has been assessed, may appeal such assessment to the secretary within 10 days after receiving a written notice of assessment by filing a written notice of appeal with the office of administrative hearings specifying why such civil penalty should not be assessed. Such appeal shall not operate to stay the payment of the civil penalty. Upon receipt of the notice of appeal, the office of administrative hearings shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act. If the initial order issued by the office of administrative hearings finds in favor of the appellant and the secretary affirms the initial order, any civil penalties collected shall be refunded to the appellant licensee. Either party may appeal the final order in accordance with the Kansas judicial review act.

(f) All civil penalties collected pursuant to the provisions of this act shall be deposited with the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt the state treasurer shall deposit the entire amount in the state general fund.

Sec. 8. K.S.A. 39-2019 is hereby amended to read as follows: 39-2019. (a) The Kansas department for aging and disability services shall establish a process for certification of and funding for certified community behavioral health clinics in accordance with this section.

(b) (1) Prior to July 1, 2027, the Kansas department for aging and disability services shall certify as a certified community behavioral health clinic—any only community mental health—center centers that meet the criteria as set forth in paragraph (3).

(2) On and after July 1, 2027, the Kansas department for aging and disability services shall certify as a certified community behavioral health clinic any community mental health center that meets the criteria as set forth in paragraph (3).

(3) In order to be certified as a certified community behavioral health clinic, a community mental health center shall be licensed by the department that provides and provide the following services: Crisis services; screening, assessment and diagnosis, including risk assessment; person-centered treatment planning; outpatient mental health and substance use services; primary care screening and monitoring of key indicators of health risks; targeted case management; psychiatric rehabilitation services; peer support and family supports; medication-assisted treatment; assertive community treatment; and community-based mental healthcare for military servicemembers and veterans.

(c) (1) The department of health and environment shall establish a prospective payment system under the medical assistance program for funding certified community behavioral health clinics. Such system shall permit payment by either daily or monthly rates.

(2) The department of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement this subsection.

(3) Such prospective payment system shall be implemented on or before May 1, 2022.

(d) (1) Subject to applications therefor, the Kansas department for aging and disability services shall certify community behavioral health clinics by not later than the following specified dates:

(A) Six facilities currently receiving grants to operate as certified community behavioral health clinics by not later than May 1, 2022;

(B) three additional facilities by not later than July 1, 2022;

(C) nine additional facilities by not later than July 1, 2023; and

(D) eight additional facilities by not later than July 1, 2024.

(2) The Kansas department for aging and disability services may certify community behavioral health clinics in advance of the deadlines established in paragraph (1), including portions of the specified numbers of facilities.

(d) The secretary for aging and disability services shall adopt rules and regulations as necessary to implement and administer this section.

(e) (1) Programs and treatments provided by a certified community behavioral health clinic may be granted a certification renewal if such programs and treatments have been:

(A) Previously certified by the secretary for aging and disability services; and

(B) accredited by the commission on accreditation of rehabilitation facilities, the joint commission or another national accrediting body approved by the secretary for aging and disability services.

(2) The provisions of subsection (e) shall expire on July 1, 2027.";

On page 20, in line 12, after the first comma by inserting "39-2004, 39-2009, 39-2013, 39-2016, 39-2019,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "adult care homes" and inserting "health and healthcare"; also in line 1, by striking all after "to"; in line 2, by striking all before the semicolon and inserting "licensure and certification of certain care facilities and providers of disability and mental health services; prohibiting the state fire marshal and the marshal's representatives from wearing or operating a body camera during an on-site inspection at a licensed facility"; also in line 2, by striking "such"; in line 3, by striking "facilities" and inserting "continuing care retirement communities"; in line 5, before "amending" by inserting "authorizing the department to condition or restrict a license of a provider of disability services; granting the secretary of aging and disability services authority to grant regulation waivers unrelated to health and safety; adding a definition of a day service provider; authorizing correction orders and civil fines to be appealed to the secretary; providing for renewal certification of certified community behavioral health clinic programs and treatments that have previously been certified or accredited;"; in line 6, after the first comma by inserting "39-2004, 39-2009, 39-2013, 39-2016, 39-2019,";

And your committee on conference recommends the adoption of this report.

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2784**.

Senator Baumgardner offered a substitute motion that the Senate not adopt the Conference Committee Report on **HB 2784** and appoint a new Conference Committee.

Motion carried by voice vote.

The President appointed Senators Gossage, Erickson and Pettey as second conferees on the part of the Senate.

CHANGE OF CONFERENCE

Senators Billinger, Claeys, and Pettey are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **SB 27**.

Senators Billinger, Claeys, and Pettey are appointed to replace Senators Warren, Wilborn, and Corson as members of the conference committee on **HB 2392**.

Senators Peck and Ware are appointed to replace Senators Longbine and Holscher as members of the conference committee on **HB 2530**.

Senators Erickson, Dietrich, and Reddi are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **HB 2663**.

On motion of Senator Alley, the Senate adjourned until 8:00 a.m., Monday, April 29, 2024.

Journal of the Senate

SIXTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, April 29, 2024, 8:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Heavenly Father, with all of the decisions we face in life and realizing how significant the outcomes can be for good or bad; for success or failure, we need wisdom. But You make it clear in James 3:13-18 that there are two kinds of wisdom, Godly and Ungodly. Beginning in verse 13-16, You ask the question, “Who among you is wise and intelligent? Let him by his good conduct show his [good] deeds with the gentleness and humility of true wisdom. But if you have bitter jealousy and selfish ambition in your hearts, do not be arrogant, and [as a result] be in defiance of the truth. This [superficial] wisdom is not that which comes down from above, but is earthly (secular), natural (unspiritual), even demonic. For where jealousy and selfish ambition exist, there is disorder [unrest, rebellion] and every kind of evil and morally degrading practice.”

And then You use verses, 17–18, to give the contrast. “But the wisdom from above is first pure [morally and spiritually undefiled], then peace-loving [courteous, considerate], gentle, reasonable [and willing to listen], full of compassion and good fruits. It is unwavering, without [self-righteous] hypocrisy [and self-serving guile]. And those who are peacemakers will plant seeds of peace and reap a harvest of righteousness.”

So, help us Lord to constantly be discerning and applying the wisdom that comes from You, in everything we do. I pray this in the precious Name of Jesus, Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senators Haley and Faust-Goudeau introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1756—

A RESOLUTION commemorating 70 years since the landmark *Brown v. Board of Education* Supreme Court decision on May 17, 1954,

which made segregation in public schools illegal in the United States.

WHEREAS, This year marks the 70th anniversary since the Supreme Court of the United States (SCOTUS) struck down racial segregation in public schools across the

country; and

WHEREAS, In its ruling, SCOTUS determined that separate educational facilities are inherently unequal and every citizen of the United States deserves equal education; and

WHEREAS, This victory was decades in the making, and it was made possible by determined parents, students, activists and attorneys who worked tirelessly to advocate for this important cause; and

WHEREAS, Carolyn Wims-Campbell and Foster Chisholm are not only seasoned support staff at the Kansas State Capitol but are also alumni of the historic McKinley Elementary School in Topeka; and

WHEREAS, Cheryl Brown Henderson founded the Brown Foundation in 1988, which has since awarded scholarships, honored leaders, established libraries, developed educational resources, organized exhibitions and hosted diversity programs. Under Cheryl's leadership, the Brown Foundation collaborated with the United States Congress to establish the Brown v. Board of Education national Park in 1990 and the Brown v. Board of Education 50th Anniversary Presidential Commission in 2001; and

WHEREAS, The City of Topeka was the birthplace of this important story, and visitors may tour the national historic site and museum at the Monroe School building, where the Brown v. Board of Education National Historic Park is located; and

WHEREAS, The homecoming celebration for former students and educators of the Topeka's four former African American elementary schools will be held on May 18, 2024, where community speakers, an oral history collection and activities will highlight the significance of the students and faculty at Buchanan Elementary School, McKinley Elementary School, Monroe Elementary School and Washington Elementary School; and

WHEREAS, The City of Topeka is the host of the Civil Rights Summer 2024 event in which visitors can celebrate the 70th anniversary of Brown v. Board of Education with live performances, art installations and a multidisciplinary project created by community-based artist Vanessa German; and

WHEREAS, Visitors of the homecoming and Civil Rights Summer 2024 event have the opportunity to hear Topekans share their lived experience during the Brown decision and how the past influenced their lives; and

WHEREAS, To access additional historical information on the importance of Brown v. Board of Education, visitors can visit the Kansas State Library: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commemorate 70 years since the landmark Brown v. Board of Education United States Supreme Court decision in 1954; and

Be it further resolved: That we encourage all Kansans to commemorate the landmark decision that made segregation illegal in all United States public schools by registering and attending the Brown v. Board of Education Homecoming Celebration in Topeka on May 18, 2024; and

Be it further resolved: That we encourage all Kansans to attend the Civil Rights Summer 2024 event in Topeka; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to the Nicodemus National Historic Monument, the Brown v. Board of Education National Historical Park, the Richard Allen Cultural Center and Museum in Leavenworth, the National Trust for Historic Preservation, the National Museum of

African American History and Culture, the Kansas State Historical Society, Kenya Cox, President of the Kansas State NAACP, National Heritage Area Freedoms Frontier and Senators Haley and Faust-Goudeau.

On emergency motion of Senator Haley **SR 1756** was adopted by voice vote.

Senator Bowers introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1757—

A RESOLUTION recognizing KC Clowers for her outstanding service to the State of Kansas and congratulating her on her retirement.

WHEREAS, In 2006, Karen "KC" Clowers began her career as a Committee Assistant, learning from esteemed senators John Vratil and Tim Owens; and

WHEREAS, In November of 2010, KC was promoted to Chief of Staff, overseeing all Session staff and permanent staff in Legislative Administrative Services; and

WHEREAS, When any Committee Assistant needed information for writing minutes or handling a situation, the refrain was always, "ask KC—she will know." And indeed, she always did; and

WHEREAS, Throughout the years, KC infused the workplace with fun, organizing events like "hat and glove day" to honor the Queen of England, coordinating staff group photos for Super Bowl victories and celebrating birthdays with food and laughs; and

WHEREAS, Within the legislature, KC made it a point to learn and remember the names of every legislator, both past and present, showcasing her remarkable Google-like knowledge; and

WHEREAS, KC not only managed larger-than-life tasks but also made time for the little things, such as ensuring that the coffee was brewed and the Keurig was well stocked; and

WHEREAS, KC is a devoted supporter of Kansas State University. Alongside her late husband, Lieutenant Colonel (Retired) Jim Clowers, they endowed the James L. & Karen A. Clowers Geology Scholarship at Kansas State University. Her legacy of Purple Pride will continue to inspire generations to come; and

WHEREAS, KC's love for traveling has taken her to destinations as far as Egypt, several countries in Europe and Iceland, as well as closer to home, such as the Little Jerusalem Badlands State Park; and

WHEREAS, After her retirement on May 10, 2024, KC intends to further indulge her passion for travel, with plans to explore destinations like Japan. KC also looks forward to spending quality time with her beloved cat, Lucifer: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize KC Clowers for her outstanding service to the State of Kansas and congratulate her on her well-deserved retirement; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Bowers.

On emergency motion of Senator Bowers **SR 1757** was adopted by voice vote.

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Order No. 24-02 for your information. (April 26)

Enclosed herewith is Executive Order No. 24-03 for your information. (April 26)

REGARDING VETO OF SENATE BILL 28

I want to thank the Legislature and the budget committees for their bipartisan work to pass **Senate Bill 28**. This budget makes important investments in economic development, infrastructure, and essential services that will positively impact the citizens of Kansas for years to come.

Kansas is a national leader in economic development, and this budget makes investments across the state to provide our communities with the infrastructure and workforce necessary to continue that leadership. By investing in our higher education system, this budget also ensures that our universities, community colleges, and technical schools can continue to engage in cutting-edge education, research, and workforce training.

This budget infuses significant funding into programs and facilities that serve the most vulnerable Kansans and keep our communities safe. It also continues the progress we've made in improving the government services Kansans depend on by providing state employees with a pay increase and investing in state facilities.

Despite these successes, this budget falls short in several areas. Instead of using our existing surplus to cover the costs of capital projects immediately, this budget requires the state to take on debt and pass the costs of these projects on to taxpayers. It also fails to use this surplus to balance the state's checkbook by paying off existing debts.

School funding, one of the core responsibilities of the state, is also not addressed in this budget. Kansas families and teachers rely on the Legislature to ensure they have the resources they need to provide our kids a world-class education. Failing to fully fund public schools in this budget creates unnecessary uncertainty that we may backtrack on rebuilding our education system. I encourage the Legislature to maintain the full funding of schools when it returns so that we can continue the progress we've made by fully funding education over the past five years.

Additionally, this budget does not adequately address access to affordable healthcare. Expanding Medicaid is the fiscally prudent thing to do. It will infuse a billion dollars into the state and our communities annually. I will continue to urge the Legislature to do the right thing and expand Medicaid as soon as possible so that hard-working Kansans can get the healthcare they deserve and desperately need.

Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return **Senate Bill 28** with my signature approving the bill, except for the items enumerated below.

Legislature—Impeding Local Control of School Districts

Sec. 26(e) has been line-item vetoed in its entirety.

It is not the State's role to condition or control how local school districts should use local funds generated from the sale of property. If the Legislature is interested in developing innovative approaches to recruiting and retaining talented teachers and paraprofessionals, it should work collaboratively with school districts and educators to improve the experience of classroom teachers rather than interfering with their authority to set policies and budgets to address the needs of their students and teachers. I am concerned that provisions like Sec. 26(e) set a dangerous precedent and erode the core constitutional principle of local control.

Governor’s Department and Adjutant General’s Department—Southwest Border Mission

Sec. 29(b) has been line-item vetoed in its entirety.

The portion of Sec. 120(a) that reads as follows has been line-item vetoed:

Southwest border mission.....\$15,716,000
Provided, That all expenditures from the southwest border mission account shall be for expenses to respond to the request for assistance from the state of Texas pursuant to the emergency management assistance compact, K.S.A. 48-9a01, and amendments thereto, or a memorandum of understanding between the governor and the governor of Texas: Provided, That the above agency shall collaborate with the governor and the response and recovery bureau director to activate, mobilize and deploy state resources and implement the appropriate mutual aid plans and procedures: Provided further, That such assistance is being provided to assist in the prevention of crime drug trafficking, human trafficking, transactional criminal organizations and other related crimes contributing to an emergency.

The portion of Sec. 121(a) that reads as follows has been line-item vetoed:

Any unencumbered balance in the southwest border mission account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.
As the Kansas National Guard’s Commander-in-Chief, it is my constitutional authority to direct the National Guard while on state duty. It is not the Legislature’s role to direct the operations or call out the National Guard. Border security is a federal issue. Lawmakers in Washington must act to solve this issue and work in a bipartisan manner to fix our nation’s broken immigration system. Despite this being a federal issue, I have repeatedly deployed members of the Kansas National Guard to support the federal government’s efforts to strengthen border protections, including an active deployment today When a Governor deploys soldiers as part of a federal mission, it is done intentionally and in a manner that ensures we are able to protect our communities and that we do not threaten Guard readiness or limit our ability to respond to natural disasters at home.

Office of the Attorney General and Kansas Department for Aging and Disability Services—Kansas Fights Addiction Fund

Sec. 31(d), Sec. 83(bb), and Sec. 83(cc) and have been line-item vetoed in their entirety.

The portion of Sec. 32(b) that reads as follows has been line-item vetoed:

Provided further, That, notwithstanding the provisions of the Kansas fights addiction act, K.S.A. 2023 Supp. 75-775 through 75-781, and amendments thereto, or any other statute, expenditures shall be made from the Kansas fights addiction fund in an amount of \$185,000 for fiscal year 2025 for drug abuse and addiction prevention services for youth at the Kansas City full circle program, inc.: Provided, however, That prior to making such expenditures, the above agency shall present to the Kansas fights addiction grant review board the above expenditure for the board’s review.

The portions of Sec. 83(b) that reads as follows have been line-item vetoed:

Valley hope substance use disorder fund.....\$2,500,000
Provided, That, notwithstanding the provisions of the Kansas fights addiction act, K.S.A. 2023 Supp. 75-775 through 75-781, and amendments thereto, expenditures shall be made from the valley hope substance use disorder fund for infrastructure to expand valley hope located in Atchison, Kansas: Provided, however, That prior to making such expenditures, the above agency shall present to the Kansas fights

addiction grant review board the above expenditure for the board's review.

Indigent support fund.....\$5,000,000

Provided, That expenditures shall be made from the indigent support fund for providing support to the substance use disorder providers who provide services to individuals who have no insurance or other medical coverage: Provided further, That the above agency shall develop guidelines for providers to apply for the funds and establish a review team for the application for funds to determine that such funds are being appropriately used to provide services to such indigent individuals: Provided, however, That prior to making such expenditures, the above agency shall present to the Kansas fights addiction grant review board the above expenditure for the board's review.

The Legislature created the Kansas Fights Addiction Board to review and approve applications for funding through the State’s opioid settlement, the Kansas Fights Addiction Fund. While these initiatives may be good proposals worthy of funding, the direct allocation of these funds circumvents the established process and gives an unfair advantage to the organizations receiving these funds. It also makes it difficult for the Board to administer its established strategy and strategic plan for the settlement. If the Legislature wants to change the process through which these funds are allocated, it should pass standalone legislation to do so.

Office of the State Treasurer—Pregnancy Compassion Awareness Program

Sec. 35(a) has been line-item vetoed in its entirety.

I continue to believe that overseeing a state pregnancy crisis center and maternity home program is not an appropriate role for the Office of State Treasurer. This proviso continues a program to provide taxpayer funding for largely unregulated pregnancy resource centers. These entities are not medical centers and do not promote evidence-based methods to prevent unplanned pregnancies. The Legislature should listen to Kansans, who, on August 2, 2022, told politicians they should stop inserting themselves in private medical decisions between women and their doctors.

Office of the State Treasurer—BUILD Kansas Changes

Sec. 35(d), Sec. 35(e), Sec. 36, Sec. 37, and Sec. 38 have been line-item vetoed in their entirety.

The BUILD Kansas program provides local governments and other eligible entities with State funding to pursue grant opportunities under the federal Bipartisan Infrastructure Law (BIL). As the program stands today, both the Executive and Legislative branches have a role in reviewing and approving applications for matching funds. The changes proposed in this budget would remove the Kansas Infrastructure Hub from this process and give the Legislature the authority to approve funding for infrastructure projects without the Hub’s input, effectively creating a separate legislative appropriations process for infrastructure projects.

The provisions in this budget would also require that certain Kansas communities provide local dollars to secure BUILD Kansas funds while others would be exempted from having to provide local funds, creating an uneven playing field for communities to access the BUILD Kansas program. While I commend the Legislature’s efforts to increase the impact of these matching dollars by making them eligible to be used for additional federal funding opportunities, we must maintain the program’s current parameters to ensure matching funding is used to support the infrastructure needs of all

Kansas communities effectively and efficiently.

Kansas Corporation Commission—Demolition of Two Habitable Structures in Augusta, Kansas

The portion of Sec. 53(a) that reads as follows has been line-item vetoed:

Provided, That notwithstanding the provisions of K.S.A. 55-192, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such fund to address ground water well contamination from abandoned wells located in Butler County, Kansas: Provided further, That the above agency shall work with landowners at 13726 SW Thunder Road and 14937 SW Thunder Road in Augusta, Kansas, to assist in the costs of demolition of the habitable structures located on such land: Provided, however, That expenditures for such purposes shall not exceed \$250,000 on each such property.

This line-item uses a state fund established for the remediation of abandoned oil well sites to demolish two private homes in Augusta, Kansas. This action is squarely outside the statutory scope of this program and risks setting an untenable financial precedent where the state could be required to pay for the demolition of property in all areas where historic oil contamination exists, regardless of source, culprit, or disclosure to the home buyer. Policy of this nature, however well-intentioned, should be carefully considered and debated to avoid unintended and unsustainable financial or legal obligations for the state – not included as a last-minute budget proviso.

Kansas Department of Commerce—Youth Career Exploration

The portion of Sec. 68(a) that reads as follows has been line-item vetoed:

Youth career exploration.....\$500,000

I fully support efforts to raise awareness and connect students to in-demand careers in Kansas. To develop a highly skilled and prepared workforce, students should be incentivized to explore their interests and identify pathways into various career fields. I have line-item vetoed this section because these efforts can be funded through existing Kansas State Department of Education resources. The State Board of Education has previously funded these efforts using federal Elementary and Secondary School Emergency Relief (ESSER) funds and is currently considering an additional allocation of \$1 million in ESSER funds over the next two years for this purpose. This funding opportunity provides more support for youth career exploration than is included in this bill. Once these federal funds are expended, the State should then consider providing State General Funds for this purpose.

Kansas Department of Commerce—University STAR Bonds

Sec. 68(n) and Sec. 69(d) have been line-item vetoed in their entirety.

STAR Bonds are a financing tool that allows Kansas communities, both rural and urban, to strategically attract economic development to their area. The program has helped secure millions in economic development growth and brought thousands of jobs to the State through state and local partnerships.

The language proposed in this budget would fundamentally alter the STAR Bonds program by allowing universities to create STAR Bond districts without the consent of the impacted local government and without a minimum capital investment or revenue requirement. While I support innovative proposals to bring new economic development opportunities to the state, the changes to the program proposed in this budget do not adequately protect local governments’ authority or ensure the long-term solvency of the

projects.

Kansas Department of Commerce—Child Care Pilot Program

The portion of Sec. 68(a) that reads as follows has been line-item vetoed:

Provided, That expenditures shall be made by the above agency from such account to implement a pilot program for the recruitment and retention of home-based child care providers to increase the number of child care slots in Kansas: Provided further, That the above agency shall issue a request for proposal to solicit potential private entities to implement such pilot program: And provided further, That any such private entity making a proposal shall agree to: (1) Partner with the above agency, families in need of child care and home-based child care providers to increase the number of child care slots in Kansas by: (A) Recruiting and coaching prospective home-based child care providers through the initial business plan and implementation process; and (B) assisting existing home-based child care providers with business planning and implementation to retain and expand child care slots; (2) develop and execute a mentorship program for such home-based child care providers; (3) plan, staff and execute in-person and virtual recruitment events for new home-based child care providers in locations in the state in need of child care slots; (4) develop informational materials that assist home-based child care providers with marketing, advertising and parental outreach; (5) provide a software platform, including customizable dashboards, to assist home-based child care providers with marketing, enrollment, family communication, billing and expense reporting; and (6) make available to home-based child care providers coaching and training, including in-person group training sessions, on-site coaching visits, community forums and events: And provided further, That the above agency shall require any private entity making a proposal to provide evidence that such entity is providing a similar service in at least three other states: And provided further, That as used in this section, "home-based child care provider" means an individual who has control or custody of one or more children under 16 years of age, unattended by a parent or guardian, for the purpose of providing food or lodging, or both.

Increasing access to child care is one of my biggest priorities as Governor. To truly address this issue, we need everyone’s expertise at the table. This proviso limits the pool of organizations that could apply to operate this pilot program. An open, competitive bidding process should be used to ensure that these funds are effective in supporting aspiring child care providers.

Kansas Department of Commerce—Air Development Fund

The portion of Sec. 68(c) that reads as follows has been line-item vetoed:

Kansas air service development incentive program fund.....No limit
Provided, That all expenditures from the Kansas air service development incentive program fund shall be to support commercial service airports in Kansas: Provided further, That the department of commerce shall establish requirements for the program, taking into consideration: (1) Recent or imminent regional economic development opportunities, including, but not limited to, new business entering the market area or business growth in the market area; (2) viable air service opportunities, including, but not limited to, airline support service or market data support service; (3) air service routes serving a market area that meets the needs of such economic development opportunities, including, but not limited to, routes establishing a pipeline to areas with workforce talent or serving a customer base or

main business function; and (4) local match requirements, including, but not limited to, opportunities to use state or local moneys to leverage federal air service development grant funds: And provided further, That local entities representing commercial service airports may apply for grants from such fund: And provided further, That the department of commerce shall form a selection committee to evaluate such applications: And provided further, That not more than \$1,000,000 shall be awarded for a single commercial service airport: And provided further, That all grant moneys awarded to a local entity shall be deposited in an interest-bearing escrow account: And provided further, That, when awarded a grant, such local entity shall execute a minimum revenue guarantee (MRG) agreement with an airline: And provided further, That such MRG agreement shall describe the thresholds that trigger drawdowns of grant moneys: And provided further, That the department of commerce shall verify all expenses before authorizing any drawdown of grant moneys from such escrow account.

Sec. 68(m) has been line-item vetoed in its entirety.

This program was not requested by the Department of Commerce or vetted by the agency. Given the ongoing debate in the Legislature regarding tax relief and the potential long-term fiscal impact of proposed tax policy, it is difficult to justify another expenditure from the State Highway Fund. We've closed the Bank of KDOT, and I do not want to risk backtracking on that progress.

Kansas Department of Aging and Disability Services—Mental Health Intervention Team Pilot

The portion of Sec. 83(a) that reads as follows has been line-item vetoed:

Provided, That expenditures shall be made by the above agency from such account during fiscal year 2025 to establish the mental health intervention team program: Provided further, That such program shall be a continuation of the mental health intervention team pilot program first established pursuant to section 1 of chapter 57 of the 2018 Session Laws of Kansas and K.S.A. 72-9943, and amendments thereto, and continued and expanded through subsequent appropriation acts of the legislature: And provided further, That the purposes of the mental health intervention team program are to: Provide greater access to behavioral health services for students enrolled in kindergarten or any of the grades one through 12 and establish a coherent structure between school districts and mental health intervention team providers to optimize scarce behavioral health resources and workforce; identify students, communicate with families and link students and their families to the statewide behavioral health systems and resources within the network of mental health intervention team providers; alleviate the shortage of staff with specialized degrees or training such as school counselors, psychologists and social workers and reduce the competition for such staff between school districts and other private and governmental service providers to provide broader-based and collaborative services to students, especially in rural districts that do not have enough students to justify a full-time staff position; provide and coordinate mental health services to students throughout the calendar year, not only during school hours over nine months of the school year; and reduce barriers that families experience to access mental health services and maintain consistency for a child to attend recurring sessions and coordination between the child's classroom schedule and the provision of such services: And provided further, That the program shall focus on the following

students: Any student who has been adjudicated as a child in need of care and is in the custody of the secretary for children and families or has been referred for a families first program or family preservation program; and any other student who is in need of mental health support services: And provided further, That the secretary for aging and disability services shall appoint a mental health intervention team program manager and, within the limits of appropriations therefor, such additional staff as necessary to support such manager: And provided further, That the above agency shall oversee and implement the mental health intervention team program in accordance with the requirements of this proviso and the policies and procedures established by the above agency pursuant to this proviso: And provided further, That during fiscal year 2025, the board of education of a school district may apply to the above agency to establish or maintain a mental health intervention team program within such school district: And provided further, That the application shall be in such form and manner as the above agency requires and submitted at a time determined and specified by such agency: And provided further, That each application submitted by a school district shall specify the mental health intervention team provider that the school intends to coordinate with to provide school-based services to students who need assistance during the applicable school year: And provided further, That the school district shall provide notice to the mental health intervention team provider as soon as they are able of their intent to partner for the following school year: And provided further, That the above agency shall establish an application review committee that shall include representatives from mental health intervention team providers and the department of education: And provided further, That if a school district and mental health intervention team provider are approved to establish or maintain a mental health intervention team program, the school district shall enter into a memorandum of understanding with a partnering mental health intervention team provider: And provided further, That if the school district chooses to partner with more than one mental health intervention team provider, the school district shall enter into a separate memorandum of understanding with each such mental health intervention team provider: And provided further, That the above agency may establish requirements for a memorandum of understanding, including contractual provisions that are required to be included in each memorandum of understanding and that are optional and subject to agreement between the school district and the mental health intervention team provider: And provided further, That each memorandum of understanding shall be submitted to the above agency for final approval: And provided further, That the above agency may authorize another category of provider other than a mental health intervention team provider to serve as a partnering provider under the mental health intervention team program pursuant to this proviso: And provided further, That such category of provider shall provide the required services and otherwise meet the requirements of a partnering mental health intervention team provider under this proviso: And provided further, That if the above agency authorizes another category of provider other than a mental health intervention team provider, such agency shall provide notification of this decision to the mental health intervention team provider that provides services in that county: And provided further, That, subject to appropriations therefor, a school district and mental health intervention team provider that have been approved by the above agency to establish or maintain a mental health intervention team program shall be

eligible to receive a mental health intervention team program grant and a mental health intervention team provider pass-through grant: Provided, however, That the amount of a school district's mental health intervention team program grant shall be determined in each school year by calculating the total amount of the salary and fringe benefits paid by the school district to each school liaison: And provided further, That the amount of a school district's mental health intervention team provider pass-through grant shall be an amount equal to 50% of the amount of the school district's mental health intervention team grant: And provided further, That moneys provided to a school district for the mental health intervention team provider pass-through grant shall be paid to any mental health intervention team provider that partners with the school district: And provided further, That if the amount of appropriations are insufficient to pay in full the amount of all grants school districts are entitled to receive for the school year, the above agency shall prorate the amount appropriated among all districts: And provided further, That the above agency shall be responsible for the allocation and distribution of grants in accordance with appropriation acts: And provided further, That the above agency may make grant payments in installments and may provide for payments in advance or by way of reimbursement and may make any necessary adjustments for any overpayment to a school district: And provided further, That the above agency shall not award any grant to a school district unless such district has entered into a memorandum of understanding with a partnering mental health intervention team provider in accordance with this proviso: And provided further, That any remaining appropriations that were not allocated to the mental health intervention team program shall provide funding in the form of grants from the above agency to the association of mental health intervention team providers of Kansas to fund training for school districts participating in the mental health intervention team program pursuant to this proviso: And provided further, That the above agency shall seek advice from mental health intervention team providers prior to awarding any grant under this subsection: And provided further, That the above agency may waive the requirement that a school district employ a school liaison and may instead authorize a mental health intervention team provider that partners with the school district to employ a school liaison: And provided further, That such waiver shall only be granted by the above agency in limited circumstances: And provided further, That a school district that is granted a waiver pursuant to this proviso shall continue to be eligible to receive the mental health intervention team program grant and the mental health Intervention team provider pass-through grant authorized pursuant to this proviso: And provided further, That the amount of the mental health intervention team program grant shall be determined in the same manner as provided under this proviso as though the school liaison was employed by such school district: And provided further, That upon receipt of any moneys awarded pursuant to the mental health intervention team program grant to any such school district, the school district shall direct payment of such amount to the mental health intervention team provider that employs the school liaison: And provided further, That on or before January 13, 2025, the above agency shall prepare and submit a report on the mental health intervention team program for the preceding school year to the house of representatives standing committees on appropriations, social services budget and health and human services, or their successor committees, and the senate standing committees on ways and means, ways

and means subcommittee on human services and public health and welfare, or their successor committees: And provided further, That such report shall provide a summary of the program, including, but not limited to, the school districts that applied to participate or continued participating under the program, the mental health intervention team providers, the grant amount each such school district received and the payments made by school districts from the mental health intervention team program fund of each school district: And provided further, That the staff required for the establishment and maintenance of a mental health intervention team program shall include a combination of one or more behavioral health liaisons employed by the school district and one or more case managers and therapists licensed by the behavioral sciences regulatory board who are employed by the partnering mental health intervention team provider: And provided further, That all staff working together under a school district's program shall be known as the mental health intervention team of the school district: And provided further, That the school district and the mental health intervention team provider shall cooperate and work together to identify needs specific to the students in the school district, and the families of such students and shall develop an action plan to implement a school-based program that is tailored to such needs: And provided further, That a school district that participates in the program shall employ one or more school liaisons who will help students in need and coordinate services between the school district, the student, the student's family and the mental health intervention team provider: And provided further, That a school liaison shall have a bachelor's degree in any field of study: And provided further, That a school liaison's roles and responsibilities include, but are not limited to: Identifying appropriate student referrals for the team to engage with; act as a liaison between the school district and the mental health intervention team provider and be the primary point of contact for communications between the school district and the mental health intervention team provider; assist with mental health intervention team provider staff understanding of the school district's system and procedures including the school calendar, professional development, drills and crisis plan protocols; triage prospective student referrals and help decide how to prioritize interventions; help the mental health intervention team provider and other school personnel understand the roles and responsibilities of the mental health intervention team; facilitate communications and connections between families of identified students and the mental health intervention team provider's staff; coordinate a student's treatment schedule with building administrators and classroom teachers, to optimize clinical therapist's productivity; troubleshoot problems that arise and work with the mental health intervention team provider to resolve such problems; track and compile outcomes to monitor the effectiveness of the program; maintain and update the department of education mental health intervention team database as directed by the above agency and required by this section; follow up with child welfare contacts if a student has moved schools to get the child's educational history; be an active part of the school intervention team and relay information back to mental health intervention team provider staff, including student observations, intervention feedback from teachers, communications with family and other relevant information; work with school administration to identify and provide confidential space for a mental health intervention team provider therapist; assist in planning continuity of care through summer services; and submit an annual report to the above agency on

how the liaison complied with the required roles and responsibilities: And provided further, That within the scope of employment by a school district, an individual employed as a school liaison shall primarily perform roles and responsibilities that are related to the school liaison position as described in this section: And provided further, That once the initial referral has been completed for a student, all relevant information shall be entered into the database within 14 calendar days: And provided further, That a mental health intervention team provider that partners with a school district shall employ one or more therapists licensed by the behavioral sciences regulatory board who will collaborate with the school district to assist students in need and provide services to such students under the program: And provided further, That a therapist's roles and responsibilities under the program include, but are not limited to: Assist the school liaison with the identification of appropriate student referrals to the program; triage student referrals with the school liaison to prioritize treatment interventions for identified students; work with the school liaison to connect with families or child welfare contacts to obtain consent to commence treatment; conduct a clinical assessment of the identified student and make appropriate treatment recommendations; engage with the student, family or child welfare contacts in clinical interventions as identified on the treatment plan and provide individual and family therapy; administer scales or tests to detect areas of concern with depression, anxiety, self-harm or other areas as identified; make referrals to other treatment modalities as appropriate; communicate educationally appropriate information to the school liaison, such as interventions and strategies for use by classroom and school staff; gather outcome data to monitor the effectiveness of the program; coordinate with the case manager to identify ways to support the student and family; provide therapy services as determined by the students' treatment plan; and maintain the treatment plan and necessary treatment protocols required by the mental health intervention team provider: And provided further, That a mental health intervention team provider that partners with a school district shall employ one or more case managers who will collaborate with the school district to assist students in need and to coordinate services under the program: And provided further, That a case manager's roles and responsibilities under the program include, but are not limited to: Work with the school liaison and clinical therapist to identify students and triage priorities for treatment; provide outreach to students, families and child welfare contacts to help engage in treatment; participate in the treatment planning process; communicate with the school liaison and other school district personnel about student needs, interventions and progress; help maintain communication between all entities, including the family, student, school, clinical therapist, child welfare contacts and the community; maintain the treatment plan and necessary treatment protocols required by the mental health intervention team provider; make referrals to appropriate community resources; help reconnect students and families when they are not following through with the treatment process; help families negotiate barriers to treatment; and engage with the student in the classroom, the home or the community to help build skills wherever needed: And provided further, That each school district that receives moneys for the mental health intervention team program grant or the mental health intervention team provider pass-through grant awarded pursuant to this proviso shall credit the moneys to a mental health intervention team program fund created by such school district: And provided further,

That moneys in such fund shall be used by a school district to: Pay for the expenditures that are attributable to the salary and fringe benefits of any school liaison employed by the school district pursuant to the mental health intervention team program; and provide payment to each partnering mental health intervention team provider in an amount equal to the mental health intervention team provider pass-through grant received by the school district: And provided further, That the school district shall keep separate accounting records for the school liaison expenditures and the pass-through grants to mental health intervention team providers: And provided further, That the above agency shall publish on its website an aggregated report of outcomes achieved, numbers served and associated information by the mental health intervention team program: And provided further, That the above agency shall establish a hotline that individuals receiving services from the mental health intervention team program may access outside of the hours that such individuals are receiving services: And provided further, That such hotline shall be established for the purposes of providing information sharing and communications regarding crisis coordination and emergency response services: And provided further, That as used in this proviso: (1) "Mental health intervention team provider" means a center organized pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, a mental health clinic organized pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or a federally qualified health center as defined by section 1905(l)(2)(B) of the federal social security act: And provided further, That "mental health intervention team provider" includes other provider categories as authorized by the above agency to serve as a partnering provider under the mental health intervention team program pursuant to this proviso: And provided further, That a provider under this proviso shall provide services, including: Support for students available 24 hours a day, seven days a week; person-centered treatment planning; and outpatient mental health services; and (2) "school district" means a school district as defined in K.S.A. 72-5132, and amendments thereto, or "qualified school" as defined in K.S.A. 72-4352, and amendments thereto.

The Mental Health Intervention Team Pilot Program must be codified into statute. By continuing to administer this program through budget proviso, we limit the impact it can have on the health and well-being of Kansas students. While I appreciate the Legislature's work to allow various mental health providers to participate in the program, other changes to this program threaten the availability of services to students who currently have access to them in our public schools. This proviso would change the contours of the program by requiring school districts to cover 50% of the costs. Under the current program, districts must provide a 25% match to the grant they receive from the state. School districts utilizing the pilot program have stated that the changes contained in this proviso will require them to scale back or end their participation, creating the possibility that students who are currently receiving services will lose access to this program. Additionally, this proviso opens the program to additional school districts and private schools without providing any additional funds to accommodate their entrance into the program. This will create an untenable situation where the Kansas Department of Aging and Disability Services will be forced to choose which districts can participate, given the limited funding. If we want to end this pilot program and open it up to all districts, we cannot do so without providing adequate

funding to allow for universal participation. The Legislature should work next session to codify this program into statute and provide enough funding for all interested public school districts to participate.

Kansas Department for Aging and Disability Services—Limiting Provider Input for Behavioral Health Services

Sec. 83(w) has been line-item vetoed in its entirety.

The convening of workgroups may sometimes be imperative for decision-makers to fully understand the risks and benefits of any new program. However, opening Medicaid rehabilitation codes for other provider types does not require this step, as it will only lead to more provider options for Kansans in need—which is a positive. This proviso appears harmless, but it is another attempt at limiting the types of entities that can provide behavioral health services in Kansas.

Kansas Department for Aging and Disability Services—Changes to Targeted Case Management

Sec. 83(aa) has been line-item vetoed in its entirety.

The funding restriction in this proviso would hinder the Kansas Department for Aging and Disability Services from creating any improvements to targeted case management services for the Intellectual and Developmental Disabilities (I/DD) waiver. Further, it would invite unintended consequences such as impeding the approval of the Community Supports waiver by the federal government, which is a critical step in addressing the waitlist for services on the I/DD waiver.

Kansas Department for Aging and Disability Services—Physical Disability and I/DD Waiver

Sec. 83 (dd) and Sec. 83(ee) have been line-item vetoed in their entirety.

I agree that the growing wait lists for the Intellectual and Developmental Disability (I/DD) and Physical Disability (PD) waivers are alarming and require an immediate solution so that the most vulnerable Kansans may access the services they need to live life to their full potential. However, the well-intentioned proposed statutory caps in these provisos would lead to unintended consequences for the very people it was meant to serve. By instituting a cap on the number on the waitlists, the agency will be unable to maintain reserve capacity intended for specialty populations such as children coming into DCF custody, Home and Community Based Service (HCBS) institutional transitions, and crisis emergency exemptions. I do not believe the Legislature intends to eliminate these avenues of entry for the PD or I/DD waivers.

In addition, continually adding slots to these waivers haphazardly or thoughtlessly capping the waitlist number will not be sufficient or sustainable unless provider capacity is also addressed. This is why I proposed an additional 500 slots for the I/DD and PD waivers in the budget because it is plausible, given our state's current provider capabilities. As decision-makers, it is imperative that we craft solutions that balance the needs of the waiver participants while considering the limitations of our current workforce.

Department for Children and Families—Competitive Grant Funding

The portion of Sec. 86(a) that reads as follows has been line-item vetoed.

Provided further, That expenditures shall be made from the youth services aid and assistance account in an amount of not to exceed \$250,000 for funding for keys for networking, inc., to provide the iGRAD program for use among Kansas foster care children: And provided further, That the above agency and keys for networking, inc.,

shall submit a status report to the senate committee on ways and means human services subcommittee and the house of representatives social services budget committee prior to January 31, 2025, detailing the iGRAD program's use among Kansas foster care children.

While I support creating more resources available to children in foster care, the funding in this section of the proviso is allocated towards one specific entity. By doing so, the Legislature is creating an uneven playing field for those interested in providing services, supports, and capabilities for children in need of care. This funding opportunity should be available to all potential providers through a competitive bidding process.

Department for Children and Families—Impermissible Use of TANF funds

The portion of Sec. 86(b) that reads as follows has been line-item vetoed:

Provided further, That expenditures shall be made by the above agency for fiscal year 2025 from the temporary assistance to needy families – federal fund for a matching funds grant with a charitable organization exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code to provide toiletry kits for public elementary or secondary schools in an amount not to exceed \$1,800,000.

While well-intentioned, the initiative outlined in this proviso is not a permissible use of federal funds from the Temporary Assistance for Needy Families (TANF) program. I encourage the Legislature to work with the agency to identify a more appropriate avenue to fund this initiative through existing resources.

Kansas State University—Jet

The portion of Sec. 100(a) that reads as follows has been line-item vetoed:

Kansas state university college of aviation jet.....\$1,200,000

Provided further, That expenditures shall be made from this account for fiscal year 2025 for the shared lease or ownership, insurance, maintenance and operations of a jet-type aircraft for student training purposes.

This item was not requested by the Kansas Board of Regents and did not go through the normal vetting process. While the intent of this proposal is admirable, covering the student cost of a university purchase, it should’ve gone through the regular funding process to ensure that the purchase is appropriate and will serve the university’s goals of providing its students additional educational opportunities.

Kansas State University—Central Immersive Training Hub

The portion of Sec. 100(a) that reads as follows has been line-item vetoed:

Central immersive training hub.....\$3,950,000

Provided, That all expenditures shall be made by the above agency from the central immersive training hub account for the central immersive training hub at the Kansas State University Salina campus

This item was requested by the Kansas Board of Regents at a funding level of \$2 million. It is unclear why the Legislature chose to double the funding for this initiative. I encourage the Legislature and the university to work together to determine the appropriate funding amount for this program and return with a new plan.

Emporia State University—Emporia State Model Investment Account

The portion of Sec. 106(a) that reads as follows has been line-item vetoed:

Emporia state model investment account (379-00-100-400).....\$9,000,000

The budget makes a historic investment in higher education and Emporia State University (ESU). In last year’s budget, I approved initial funding for ESU’s model investment. In this year’s budget, I am approving regional stabilization funding that will increase support for all our regional universities. Funding for this line-item was not requested by Emporia State University and was not included in the budget request presented by the Kansas Board of Regents.

University of Kansas Medical Center—Residency Funding

The portion of Sec. 112(a) that reads as follows has been line-item vetoed:

KUMC Wichita residency program.....\$750,000

Provided, That expenditures shall be made by the above agency from such account to the department of family and community medicine of the university of Kansas school of medicine Wichita, for use in the Smoky Hill family medicine residency program, Wesley family medicine residency program and Ascension Via Christi family medicine residency program.

Programs like this one that create a workforce pipeline to keep physicians in Kansas are important. However, this proposal was not considered through the normal vetting process and was not requested by the Kansas Board of Regents, which are important considerations when evaluating funding that is likely to establish an expectation of ongoing support. Further study should be done to ensure this funding is appropriate and will have sufficient statewide impact.

Kansas Board of Regents—Osteopathic Service Scholarship

The portion of Sec. 116(a) that reads as follows has been line-item vetoed:

Osteopathic service scholarship.....\$2,200,000

This funding was not requested by the Kansas Board of Regents nor considered alongside their other budget requests. Further review should be done to ensure that scholarships are also provided for students pursuing careers that encompass other professions within the medical field.

Kansas Board of Regents—Kansas Promise Scholarship and Kansas Comprehensive Grant

Sec. 116(h) has been line-item vetoed in its entirety.

Changes to the eligibility and usage of these scholarship opportunities should be enacted through the normal legislative process, not through a last-minute budget proviso that never received a formal hearing by any legislative committee. I am also concerned about the precedent that would be set by providing state funding to for-profit private institutions that are not accountable to the state or taxpayers.

Adjutant General’s Department—Shooting Team Grants

The portion of Sec.121(a) that reads as follows has been line-item vetoed:

Shooting team grants.....\$50,000

Provided, That expenditures shall be made from the shooting team grants account for the adjutant general to provide grants to shooting teams from the Kansas air national guard or the Kansas army national guard for ammunition, equipment and travel expenses for marksmanship matches: Provided further, That an eligible team shall have participated in: (1) The 2024 adjutant general’s combat marksmanship match; and (2) a national guard marksmanship regional or national competition: And

provided further, That upon application from eligible teams, at least one grant shall be awarded to a Kansas air national guard team and at least one grant shall be awarded to a Kansas army national guard team: Provided, however, That, if no team from one branch of the Kansas national guard meets the requirements of this proviso, the adjutant general may award all grants to teams from the other branch of Kansas national guard that meet such requirements: And provided, however, That the adjutant general shall not award a single team all moneys in the shooting team grants account.

This funding was not requested by the Adjutant General nor considered alongside the agency's other budget requests. While this funding request may represent a need for the agency, it should be considered through the regular process along with the agency's other requests rather than added to the budget without the Adjutant General's input.

Kansas Highway Patrol—Salina Campus Reconfiguration

Sec. 124 has been line-item vetoed in its entirety.

This funding will divide the operations of the Kansas Highway Patrol (KHP) across two separate campuses in Salina. We need to invest in KHP's Salina operations to provide a better environment for law enforcement recruitment and training and to improve KHP's central dispatch facilities—vital elements of our state's public safety infrastructure. This proposal was not brought forward by the agency or considered through the normal agency budget process.

If it is the Legislature's intent to move elements of KHP's operation off its current campus, a more comprehensive study must be conducted to ensure that we are investing these funds in a responsible manner that is part of a larger strategic plan. I am concerned that moving some functions off the current KHP campus and retaining others will harm law enforcement readiness and incur a greater cost to the state down the line.

LAURA KELLY, *Governor of Kansas*

DATED: APRIL 24, 2024

SB 28 AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A.2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections

ACTION ON VETO MESSAGE

A motion was made by Senator Masterson that line items 29(b), 120 (a), 121 (a) on **SB 28** be passed notwithstanding the Governor's veto.

SB 28 AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A.2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 82a-955 and repealing the

existing sections.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's line-item vetoes, the motion prevailed and the line-items passed.

EXPLANATION OF VOTE

A military mission must have organization to be effective. If Kansas were to send troops to Texas there is no objective way to measure success, objectives and inter operational processes. We shouldn't squander \$15 million in paying for troops to be sent arbitrarily to another state when it's unclear what specific mission they would be fulfilling, how they would operate and how they would be successful. We must instead work with Congress and the President to effectively deal with the border situation which is clearly their mission to solve. I vote no in order to sustain the Governors' line item veto of **SB 28** on this budget line item to send millions to Texas.—JEFF PITTMAN

A motion was made by Senator Erickson that line item35(a) on **SB 28** be passed notwithstanding the Governor's veto.

SB 28 AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A.2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Doll.

A two-thirds constitutional majority having voted in favor of overriding the Governor's line-item veto, the motion prevailed and the line-item passed.

A motion was made by Senator Billinger that line items 83(dd), 83(ee) on **SB 28** be passed notwithstanding the Governor's veto.

SB 28 AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A.2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Francisco, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Haley, Holland, Holscher, McGinn, Olson, Pettey, Reddi, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's line-item vetoes, the motion prevailed and the line-items passed.

A motion was made by Senator Claeys that line items 112(a), 116(a) on **SB 28** be passed notwithstanding the Governor's veto.

SB 28 AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A.2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Straub, Thompson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Haley, Holland, Holscher, O'Shea, Pettey, Pittman, Reddi, Steffen, Sykes, Tyson, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's line-item vetoes, the motion prevailed and the line-items passed.

A motion was made by Senator Blasi that line item 83(aa) on **SB 28** be passed notwithstanding the Governor's veto.

SB 28 AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending

K.S.A.2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections.

On roll call, the vote was: Yeas 25; Nays 15; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

Failing to reach a two-thirds constitutional majority voting in favor of overriding the Governor's line-item veto, the veto was sustained.

REGARDING VETO OF HOUSE SUBSTITUTE FOR SENATE BILL 233

This divisive legislation targets a small group of Kansans by placing government mandates on them and dictating to parents how to best raise and care for their children. I do not believe that is a conservative value, and it's certainly not a Kansas value.

To be clear, this legislation tramples parental rights. The last place that I would want to be as a politician is between a parent and a child who needed medical care of any kind. And, yet, that is exactly what this legislation does. If the legislature paid this much attention to the other 99.8% of students, we'd have the best schools on earth.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Substitute for Senate Bill 233**.

LAURA KELLY, *Governor of Kansas*

DATED: APRIL 24, 2024

SB 233 AN ACT concerning children and minors; relating to healthcare of minors; enacting the forbidding abusive child transitions act; prohibiting healthcare providers from treating a child whose gender identity is inconsistent with the child's sex; authorizing a civil cause of action against healthcare providers for providing such treatments; restricting use of state funds to promote gender transitioning; prohibiting professional liability insurance from covering damages for healthcare providers that provide gender transition treatment to children; requiring professional discipline against a healthcare provider who performs such treatments; adding violation of the act to the definition of unprofessional conduct for physicians; amending K.S.A. 65-2837 and repealing the existing section.

ACTION ON VETO MESSAGE

A motion was made by Senator Gossage that **H Sub SB 233** be passed notwithstanding the Governor's veto.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

EXPLANATION OF VOTE

I vote “NO” on **H Sub SB 233** because I believe we are beginning to cross the line from legislating for the common good to telling families what to do when making difficult decisions for their children. I do not support gender reassignment surgery for children or anyone, but I believe this decision should be in the hands of the parent, child, doctor and/or pastor. Hormones are used to help some of our young girls and boys when needed while going through puberty. I think we need to trust that a parent, with guidance, can make the right decision for their child. I also do not believe we should criminalize doctors for trying to figure out the best path for their patient. This is not about wearing seat belts or limiting speeds on the highway for the greater good. This is about a very small population that is making a very difficult decision. I believe good government is limited government and should not be making medical decisions for us.

—CAROLYN MCGINN

REGARDING VETO OF HOUSE SUBSTITUTE FOR SENATE BILL 271

Senate Bill 271 restricts the purchase of drone technology and “critical components” – including replacement parts – from countries of concern by government agencies and law enforcement entities. While the legislation is well-intentioned, it uses overly broad definitions, which will end up placing significant burdens on these government consumers, including law enforcement organizations that depend on drone technology to provide essential services and keep Kansans safe. The legislation requires these consumers to know what goes into each targeted item, down to the individual component, microchip, and processor.

There are, however, ways to achieve the goals of this legislation without placing undue burdens on agencies, local units of government, and law enforcement through avenues like the regular procurement process. This work is underway and will address the underlying concerns of this bill.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Substitute for Senate Bill 271**.

LAURA KELLY, *Governor of Kansas*

DATED: APRIL 24, 2024

SB 271 AN ACT concerning infrastructure; relating to drone technology; prohibiting the acquisition of critical components of drone technology from countries of concern; relating to state contracts; prohibiting state-level agencies from procuring final or finished goods or services from a foreign principal.

ACTION ON VETO MESSAGE

A motion was made by Senator Thompson that **H Sub SB 271** be passed notwithstanding the Governor's veto.

On roll call, the vote was: Yeas 21; Nays 16; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub,

Thompson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Baumgardner, Ryckman, Tyson.

A two-thirds constitutional majority having not voted in favor of overriding the Governor's veto, the motion failed and the veto was sustained.

REGARDING VETO OF SENATE BILL 434

I have serious concerns that deregulating sugaring – a hair removal technique that may be performed on minors – could lead to safety and sanitation problems. We have a responsibility to protect Kansans – and this deregulation would threaten the health and safety of Kansans – particularly our children.

Under the purview of the Kansas Board of Cosmetology, sugaring practitioners are required to adhere to the same health and safety standards as other cosmetologists and estheticians. They are subject to criminal background checks and training prior to the successful completion of exams to earn state licensure. Deregulating sugaring risks contamination, improper infection control, and potential safety issues involving minors. I am not willing to undermine the Kansas Board of Cosmetology's expertise or threaten the long-term health and safety of Kansans who receive sugaring services.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 434**.

LAURA KELLY, *Governor of Kansas*

DATED: APRIL 24, 2024

SB 434 AN ACT concerning public health; relating to the practice of cosmetology; exempting the practice of hair removal by sugaring from the definition of cosmetology; amending K.S.A. 2023 Supp. 65-1901 and 65-1928 and repealing the existing sections.

REGARDING VETO OF SENATE BILL 473

While I support the goal of reforming our criminal justice system in relation to pre-trial release, **Senate Bill 473** establishes a minimum amount a person must pay a bail bonding company to be released from jail, regardless of the type or severity of their crime. This requires bond companies charge an appearance bond premium of a minimum of 10% of the face amount of the appearance bond, of which half must be received before posting a bond. After thorough review, I am concerned of the impact that this will have on low income, non-violent offenders' ability to be released and return to their families and jobs.

“The Kansas Judicial Branch Pretrial Justice Task Force reviewed these issues extensively and made important recommendations. One of those recommendations is contained in this bill. While I support that component, the remaining provisions of this bill need further refinement.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 473**.

LAURA KELLY, *Governor of Kansas*

Dated: April 24, 2024

SB 473 AN ACT concerning crimes, punishment and criminal procedure; relating to the Kansas code of criminal procedure; authorizing a notice to appear that meets certain requirements to serve as a lawful complaint; requiring a minimum appearance bond premium in district court; providing reasons for suspending or terminating authorization of a compensated surety; authorizing the chief judge of a judicial district to require a compensated surety to submit to a state and national criminal history record check; amending K.S.A. 22-2202, 22-2408 and 22-2809b and repealing the existing sections.

ACTION ON VETO MESSAGE

A motion was made by Senator Warren that **SB 473** be passed notwithstanding the Governor's veto.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Straub, Thompson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Haley, Holland, Holscher, Pettey, Reddi, Steffen, Sykes, Tyson, Ware.

Present and Passing: Francisco.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

MESSAGES FROM THE HOUSE

The House announced the appointment of Representatives Tarwater, Borjon and Probst to replace Representatives Sutton, Penn and Neighbor as conferees on **HB 2663**.

The House adopts the Conference Committee report on **H Sub SB 291**.

The House adopts the Conference Committee report on **SB 414**.

The House adopts the Conference Committee report on **H Sub SB 419**.

The House adopts the Conference Committee report on **H Sub SB 420**.

The House accedes to the request of the Senate for a conference on **H Sub SB 287** and has appointed Representatives Landwehr, Eplee and Ruiz, S. as Second conferees on the part of the House.

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **Senate Substitute for HB 2036**, An Act concerning taxation; relating to income tax; modifying tax rates for individuals; eliminating the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction and the Kansas personal exemption; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; decreasing the rate of ad valorem tax imposed by a school district; abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund and providing for certain transfers to the state school district finance fund; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-1107, 79-1108 and 79-1479 and K.S.A. 2023 Supp. 72-5142, 74-8768, 79-201x, 79-2988, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and

repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 79-2959 and 79-2964. Received April 24, 2024 and read April 25, 2024.

“While I appreciate the bipartisan effort that went into this tax cut package and support many of the provisions included, I cannot sign into law a bill that jeopardizes our state's future fiscal stability.

I have said repeatedly that I will do everything in my power to prevent our state from the fiscal mismanagement of the previous administration. Since becoming governor, my administration has been laser-focused on getting us back on track, so we don't go back to the days of four-day school weeks, crumbling roads and bridges, and crippling debt. This bill is too expensive and risks reversing the progress we've made.

When working on any fiscal package, including tax cuts, legislators must consider the legislation's affordability beyond their next election. The total fiscal impact of tax relief should stay within the tax plan I released with this veto. I encourage legislators to send me a tax package that gives Kansans the relief they desperately need while not putting the state on the path to bankruptcy.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Substitute for House Bill 2036.**”

Dated: April 24, 2024

LAURA KELLY, *Governor of Kansas*

A motion was made that **S Sub HB 2036** be passed notwithstanding the Governor's veto. By vote of 104 Yeas and 15 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **HB 2098**, AN ACT concerning sales and compensating use tax; relating to motor vehicles; providing for a deduction for calculating tax owed when selling a motor vehicle that is purchased within 120 days of the sale of another vehicle; providing an exemption for certain purchases by disabled veterans of the armed forces of the United States; excluding manufacturers' coupons from the sales or selling price; providing exemptions for custom meat processing services, purchases for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf, certain purchases by doorstep inc., exploration place, inc., Kansas children's discovery center, inc. and the Kansas fairgrounds foundation; providing for a sales tax exemption for sales of property and services used in the provision of communications services; amending K.S.A. 12-199 and K.S.A. 2023 Supp. 79-3602 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2023 Supp. 79-3602c. Received April 24, 2024 and read April 25, 2024.

“The intent of **House Bill 2098** is on the right track to provide Kansans with sales tax relief.

However, the impact these tax cuts would have on the State General Fund cannot be realized without knowing the total cost of all tax bills, including a fair, sustainable, and fiscally responsible tax relief package.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2098.**”

APRIL 29, 2024

2761

Dated: April 24, 2024

LAURA KELLY, *Governor of Kansas*

A motion was made that **HB 2098** be passed notwithstanding the Governor's veto. By vote of 99 Yeas and 20 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **S Sub HB 2436**, AN ACT concerning abortion; relating to unlawful coercion to obtain an abortion; creating the crime of coercion to obtain an abortion; providing the penalties therefor; providing for enhanced criminal penalties for offenses committed with the intent to compel a woman to obtain an abortion; amending K.S.A. 21-6804 and repealing the existing section. Received on April 12, 2024 and read on April 25, 2024.

“While I agree that no one should be coerced into undergoing a medical procedure against their will, it is already a crime to threaten violence against another individual.

Additionally, I am concerned with the vague language in this bill and its potential to intrude upon private, often difficult, conversations between a person and their family, friends, and health care providers. This overly broad language risks criminalizing Kansans who are being confided in by their loved ones or simply sharing their expertise as a health care provider.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Substitute for House Bill 2436.**”

Dated: April 12, 2024

LAURA KELLY

Governor of Kansas

A motion was made that **S Sub HB 2436** be passed notwithstanding the Governor's veto. By vote of 85 Yeas and 40 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **HB 2465**, AN ACT concerning taxation; relating to adoption expenses; enacting the adoption savings account act; allowing individuals to establish adoption savings accounts with certain financial institutions; providing eligible expenses, requirements and restrictions for such accounts; requiring the secretary of revenue to adopt certain rules and regulations; granting nonexclusive marketing authority to the state treasurer; establishing addition and subtraction modifications for contributions to such accounts under the Kansas income tax act; increasing the income tax credit amount for adoption expenses; relating to pregnancy resource centers and residential maternity facilities; establishing an income, privilege and premium tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities; providing for a sales tax exemption for purchases by pregnancy resource centers and residential maternity facilities; amending K.S.A. 79-32,202a and K.S.A. 2023 Supp. 79-32,117 and 79-3606 and repealing the existing sections. Received on April 19, 2024 and read on April 25, 2024.

“I do not believe it is appropriate to divert taxpayer dollars to largely unregulated crisis

pregnancy centers. These entities are not medical centers and do not promote evidence-based methods to prevent unplanned pregnancies. This bill goes against the wishes of Kansans. On August 2, 2022, Kansas voters overwhelmingly signaled to politicians that they should stop inserting themselves between women and their private medical decisions.

While some continue to meddle in Kansans' personal lives, I remain committed to upholding the will of Kansas voters.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2465.**”

Dated: April 19, 2024

LAURA KELLY, *Governor of Kansas*

A motion was made that **HB 2465** be passed notwithstanding the Governor's veto. By vote of 85 Yeas and 40 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **HB 2583**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public morals; increasing the criminal penalty for harming or killing certain dogs and horses; requiring restitution for such crime to include veterinary medical treatment, funeral and burial expenses and replacement of such animal; amending K.S.A. 21-6416 and 21-6604 and repealing the existing sections. Received on April 19, 2024 and read on April 25, 2024.

“The death of any law enforcement animal is a tragedy. There is no question we should hold those responsible accountable for their actions. While the intention of this bill is commendable, this legislation needs further evaluation and study. First, **House Bill 2583** imposes mandatory minimum sentences that disregard important factors that should be left to the discretion of a judge through the regular sentencing process. Second, the mandatory sentences are out of line with other, more severe crimes without justification for why that is required. Third, while the requirement for a psychological evaluation and anger management program are important, we do not apply this same standard to many other heinous crimes.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2583.**”

Dated: April 19, 2024

LAURA KELLY, *Governor of Kansas*

A motion was made that **HB 2583** be passed notwithstanding the Governor's veto. By vote of 105 Yeas and 20 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **HB 2618**, AN ACT concerning elections; relating to the election crime of false representation of an election official; requiring specific intent of the offender as an element of such criminal offense; amending K.S.A. 25-2438 and repealing the existing section., Received on April 19, 2024 and read on April 25, 2024.

“There is no evidence of widespread voter fraud or instances of individuals impersonating election officials in Kansas.

Additionally, there is no reason to potentially restrict the use of federal funds for election purposes. Kansas is already one of the lowest-ranking states for use of utilizing federal funding. Accepting these dollars helps Kansas ensure smooth administration of our elections.

Restrictive voting legislation of any kind is wrong. Instead of making it more challenging for Kansans to participate in our democracy or focusing on problems that do not exist, I would urge the legislature to focus on real issues impacting Kansans.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2618.**”

Dated: April 19, 2024

LAURA KELLY, *Governor of Kansas*

A motion was made that **HB 2618** be passed notwithstanding the Governor's veto. By vote of 84 Yeas and 41 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **HB 2648**, AN ACT concerning administrative rules and regulations; requirements for adoption of rules and regulations; providing that agency adjudications shall not be used to establish policies that are rules governing future private conduct that have the force of law; relating to economic impact statements; requiring legislative ratification for certain rules and regulations; requiring the director of the budget to review an agency's determination of implementation and compliance costs and disapprove proposed rules and regulations with incomplete or inaccurate economic impact statements; removing a requirement that legislative post audit conduct an audit in 2026 pertaining to economic impact statements; amending K.S.A. 2023 Supp. 77-415, 77-416 and 77-420 and repealing the existing sections. Received on April 12, 2024 and read on April 25, 2024.

“**House Bill 2648** would insert bureaucratic red tape intended to legislatively interfere with the timely implementation of necessary and important rules and regulations. Many of these regulations are for the protection and safety of Kansans.

Kansans voted no to giving the legislature veto power over rules and regulations in the November 2022 election. This is yet again another attempt by the legislature to undermine the will of the voters.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2648.**”

Dated: April 12, 2024

LAURA KELLY, *Governor of Kansas*

A motion was made that **HB 2648** be passed notwithstanding the Governor's veto. By vote of 87 Yeas and 38 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **HB 2749**, AN ACT concerning abortion; relating to

reports on abortions performed in this state; requiring the reporting of the reasons for each abortion performed at a medical care facility or by a healthcare provider; amending K.S.A. 2023 Supp. 65-445 and repealing the existing section., Received April 12, 2024 and read April 25, 2024.

“Kansans spoke loud and clear in August 2022. Voters do not want politicians getting between doctors and their patient by interfering in private medical decisions.

House Bill 2749 is invasive and unnecessary. There is no valid medical reason to force a woman to disclose to the legislature if they have been a victim of abuse, rape, or incest prior to obtaining an abortion. There is also no valid reason to force a woman to disclose to the legislature why she is seeking an abortion.

I refuse to sign legislation that goes against the will of the majority of Kansans who spoke loudly on August 2, 2022: Kansans don't want politicians involved in their private medical decisions.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2749**.”

Dated: April 12, 2024

LAURA KELLY, *Governor of Kansas*

A motion was made that **HB 2749** be passed notwithstanding the Governor's veto. By vote of 84 Yeas and 41 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

ACTION ON VETO MESSAGE

A motion was made by Senator Tyson that **S Sub HB 2036** be passed notwithstanding the Governor's veto.

S Sub HB 2036, AN ACT concerning taxation; relating to income tax; modifying tax rates for individuals; eliminating the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction and the Kansas personal exemption; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; decreasing the rate of ad valorem tax imposed by a school district; abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund and providing for certain transfers to the state school district finance fund; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-1107, 79-1108 and 79-1479 and K.S.A. 2023 Supp. 72-5142, 74-8768, 79-201x, 79-2988, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 79-2959 and 79-2964.

Upon the showing of five hands a Call of the Senate was requested

On roll call, the vote was: Yeas 26; Nays 14; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck,

Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pittman, Pyle, Reddi, Sykes, Ware.

The Call was lifted.

Failing to reach a two-thirds constitutional majority voting in favor of overriding the Governor's veto, the veto was sustained.

Having voted on the prevailing side, Senator Holscher motioned to reconsider previous action on **S Sub HB 2036**.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 26; Nays 10; Present and Passing 4; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Steffen, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, Olson, Pettey, Pyle, Reddi, Sykes, Ware.

Present and Passing: Faust-Goudeau, Haley, Pittman, Straub

Failing to reach a two-thirds constitutional majority, the motion failed.

EXPLANATION OF VOTE

I have supported many versions of tax reform, especially championing property tax relief and food sales tax while here in the legislature. I voted for this bill as I have for previous versions. Under the Governor's leadership, Kansas not only recovered but thrived after years of fiscal mismanagement and reckless tax experiments during the previous administration. She has earned the right with 6 years of fiscally responsible policies that are sustainable, with a record \$20 billion private investment into our state, and with tens of thousands of new jobs to drive a better economy for tomorrow and for our next generation. Out of an abundance of caution as we put this massive break together, if she feels there is a variation on the current plan that is somehow more stable, today I am willing to take note and work with her to make that version a success, with the specific aim to sustainably benefit all Kansans by providing necessary financial relief while avoiding past challenges of underfunded schools, deteriorating roads, and bad credit for our state.—JEFF PITTMAN

Senators Francisco, Haley, Holscher and Sykes request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **S Sub HB 2036**.

ACTION ON VETO MESSAGE

A motion was made by Senator Thompson that **S Sub HB 2436** be passed notwithstanding the Governor's veto.

S Sub HB 2436 AN ACT concerning abortion; relating to unlawful coercion to obtain an abortion; creating the crime of coercion to obtain an abortion; providing the penalties therefor; providing for enhanced criminal penalties for offenses committed with the intent to compel a woman to obtain an abortion; amending K.S.A. 21-6804 and repealing the existing section.

On roll call, the vote was: Yeas 28; Nays 10; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Doll, Holscher.

A two thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

ACTION ON VETO MESSAGE

A motion was made by Senator Tyson that **HB 2465** be passed notwithstanding the Governor's veto.

HB 2465 AN ACT concerning taxation; relating to adoption expenses; enacting the adoption savings account act; allowing individuals to establish adoption savings accounts with certain financial institutions; providing eligible expenses, requirements and restrictions for such accounts; requiring the secretary of revenue to adopt certain rules and regulations; granting nonexclusive marketing authority to the state treasurer; establishing addition and subtraction modifications for contributions to such accounts under the Kansas income tax act; increasing the income tax credit amount for adoption expenses; relating to pregnancy resource centers and residential maternity facilities; establishing an income, privilege and premium tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities; providing for a sales tax exemption for purchases by pregnancy resource centers and residential maternity facilities; amending K.S.A. 79-32,202a and K.S.A. 2023 Supp. 79-32,117 and 79-3606 and repealing the existing sections.

On roll call, the vote was: Yeas 29; Nays 7; Present and Passing 3; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Holland, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Faust-Goudeau, Francisco, Haley.

Absent or Not Voting: Holscher.

A two thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

ACTION ON VETO MESSAGE

A motion was made by Senator Warren that **HB 2583** be passed notwithstanding the Governor's veto.

HB 2583 AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public morals; increasing the criminal penalty for harming or killing certain dogs and horses; requiring restitution for such crime to include veterinary medical treatment, funeral and burial expenses and replacement of such animal; amending K.S.A. 21-6416 and 21-6604 and repealing the existing sections.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Haley, Holland, Olson, Peck, Pettey, Reddi, Sykes, Ware.

Absent or Not Voting: Holscher.

A two thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

ACTION ON VETO MESSAGE

A motion was made by Senator Thompson that **HB 2618** be passed notwithstanding the Governor's veto.

HB 2618 AN ACT concerning elections; relating to the election crime of false representation of an election official; requiring specific intent of the offender as an element of such criminal offense; amending K.S.A. 25-2438 and repealing the existing section.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 26; Nays 11; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Doll, Holscher, McGinn.

The Call was lifted

Failing to reach a two-thirds constitutional majority voting in favor of overriding the Governor's veto, the veto was sustained.

ACTION ON VETO MESSAGE

A motion was made by Senator Erickson that **HB 2648** be passed notwithstanding the Governor's veto.

HB 2648 AN ACT concerning administrative rules and regulations; requirements for adoption of rules and regulations; providing that agency adjudications shall not be used to establish policies that are rules governing future private conduct that have the force of law; relating to economic impact statements; requiring legislative ratification for certain rules and regulations; requiring the director of the budget to review an agency's determination of implementation and compliance costs and disapprove proposed rules and regulations with incomplete or inaccurate economic impact statements; removing a requirement that legislative post audit conduct an audit in 2026 pertaining to economic impact statements; amending K.S.A. 2023 Supp. 77-415, 77-416 and 77-420 and repealing the existing sections.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, McGinn, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Holscher.

A two thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

ACTION ON VETO MESSAGE

A motion was made by Senator Gossage that **HB 2749** be passed notwithstanding the Governor's veto.

HB 2749 AN ACT concerning abortion; relating to reports on abortions performed in this state; requiring the reporting of the reasons for each abortion performed at a medical care facility or by a healthcare provider; amending K.S.A. 2023 Supp. 65-445 and repealing the existing section.

On roll call, the vote was: Yeas 27; Nays 10; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Doll, Holscher, McGinn.

A two thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

ORIGINAL MOTIONS

Senator Alley moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **Sub SB 291; SB 414; Sub SB 419, Sub SB 420; HB 2784.**

CONFERENCE COMMITTEE REPORTS

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 287** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, in line 7, before "Section" by inserting "New";

On page 2, following line 23, by inserting:

"New Sec. 2. (a) This section shall be known and may be cited as the no patient left alone act.

(b) As used in this section:

(1) "Essential caregiver" means an individual designated by the patient who meets

an essential need of the patient by assisting with the tasks of daily living or providing important emotional, social or psychological support;

(2) "immediate family member" means father, mother, stepparent, child, grandchild, stepchild, sibling, spouse or grandparent of the patient;

(3) "patient" means an individual who is receiving care at a patient care facility; and

(4) "patient care facility" includes any adult care home as defined in K.S.A. 39-923, and amendments thereto, and any medical care facility as defined in K.S.A. 65-425, and amendments thereto, except that "patient care facility" includes a hospice that is certified to participate in the medicare program under 42 C.F.R. § 418.1 et seq., and that provides services only to hospice patients.

(c) When providing end-of-life care, a patient care facility shall not:

(1) Take action to prevent a patient from receiving in-person visitation from any person designated by the patient, if the patient has the capacity to make such designation, or any person designated by the patient's agent for healthcare decisions established by a durable power of attorney for healthcare decisions pursuant to K.S.A. 58-625 et seq., and amendments thereto, if the patient does not have such capacity. Such visitor may include, but shall not be limited to:

(A) An immediate family member, domestic partner or significant other;

(B) the agent for healthcare decisions established by a durable power of attorney for healthcare decisions pursuant to K.S.A. 58-625 et seq., and amendments thereto;

(C) an essential caregiver; or

(D) a minister, priest, rabbi or clergyperson of any religious denomination or sect to which the patient is an adherent; or

(2) prohibit a patient from receiving in-person visitation from one or more individuals at a time.

(d) A patient may refuse in-person visitation or revoke previously granted in-person visitation from any person at any time.

(e) Prior to September 1, 2024, each patient care facility may establish visitation policies and procedures, including, but not limited to:

(1) Infection control protocols and education for visitors;

(2) a set schedule of dates and times when visitation is allowed;

(3) allowable visit length; and

(4) limits on number of visitors.

(f) Visitation policies and procedures adopted under this section shall:

(1) Allow in-person visitation, unless the patient objects, when the patient is:

(A) Receiving end-of-life care;

(B) making one or more major medical decisions;

(C) experiencing emotional distress or grieving the recent loss of a friend or family member;

(D) experiencing functional, cognitive or nutritional decline;

(E) struggling with the change in environment at the patient care facility after having previously lived with such patient's immediate family member;

(F) admitted to a medical care facility for childbirth, including care related to a miscarriage or stillbirth; or

(G) under 18 years of age;

(2) be provided to the patient care facility's licensing agency at the time of initial licensure or renewal or any time upon request; and

(3) be easily accessible from the homepage of the medical care facility's website.

(g) Visitation policies and procedures adopted under this section shall not contain more stringent infection control protocols for visitors than for employees of the patient care facility who are providing direct care to patients.

(h) A patient care facility may:

(1) Adopt visitation policies and procedures that are more stringent for intensive or critical care units;

(2) modify visitation based on a patient's condition or need for rest;

(3) require a visitor to agree in writing to follow the facility's policies and procedures;

(4) temporarily suspend a visitor's in-person visitation if such visitor violates the facility's policies and procedures;

(5) revoke a visitor's in-person visitation if such visitor repeatedly violates the facility's policies and procedures or displays any violent or aggressive behavior; and

(6) notwithstanding subsection (g), require a visitor to adhere to infection control procedures, including wearing personal protective equipment.

(i) The department of health and environment shall publish on its website:

(1) An explanation of this section's visitation requirements; and

(2) a link for individuals to report complaints alleging violations of this section by a patient care facility.

(j) A patient care facility shall be immune from civil liability for damages for acts taken in compliance with this section unless such act constitutes gross negligence or willful, wanton or reckless conduct.

(k) Nothing in this section shall be construed to:

(1) Supersede any federal laws, rules or regulations regarding patient care facilities; or

(2) prohibit a patient care facility from taking actions necessary to ensure that such patient care facility remains eligible for federal financial participation, federal funds or participation in federal programs and for reimbursement for services provided in such patient care facility.

Sec. 3. On and after the date of publication in the Kansas register of the notice prescribed in section 4, K.S.A. 2023 Supp. 65-484 is hereby amended to read as follows: 65-484. (a) A facility shall be eligible to apply for a rural emergency hospital license if such facility, as of December 27, 2020, was a:

(1) Licensed critical access hospital;

(2) general hospital with not more than 50 licensed beds located in a county in a rural area as defined in section 1886(d)(2)(D) of the federal social security act; or

(3) general hospital with not more than 50 licensed beds that is deemed as being located in a rural area pursuant to section 1886(d)(8)(E) of the federal social security act.

(b)(1) A facility shall be eligible to apply for a rural emergency hospital license if such facility, at any point during the period beginning on January 1, 2015, and ending on December 26, 2020, was a facility described in subsection (a) or became a department of a provider or provider-based entity.

(2) A facility may qualify for licensure under this subsection notwithstanding whether such facility was enrolled in medicare under a different United States centers for medicare and medicaid services certification number if such facility remains within the same zip code as when the facility originally received such facility's certification number.

(3) As used in this subsection, "provider-based entity" means the same as defined in 42 C.F.R. § 413.65.

(c) A facility applying for licensure as a rural emergency hospital shall include with the licensure application:

(1) An action plan for initiating rural emergency hospital services, including a detailed transition plan that lists the specific services that the facility will retain, modify, add and discontinue;

(2) a description of services that the facility intends to provide on an outpatient basis; and

(3) such other information as required by rules and regulations adopted by the department of health and environment.

~~(e)~~(d) A rural emergency hospital shall not have inpatient beds, except that such hospital may have a unit that is a distinct part of such hospital and that is licensed as a skilled nursing facility to provide post-hospital extended care services.

~~(d)~~(e) A rural emergency hospital may own and operate an entity that provides ambulance services.

~~(e)~~(f) A licensed general hospital ~~or, critical access hospital,~~ provider-based entity or provider department that applies for and receives licensure as a rural emergency hospital and elects to operate as a rural emergency hospital shall retain its original license as a general hospital or critical access hospital. Such original license shall remain inactive while the rural emergency hospital license is in effect.

New Sec. 4. When the rural emergency hospital adjustment act, S. 3394, 118th Cong. (2023) or H.R. 7759, 118th Cong. (2024) is passed into law, the attorney general shall certify such bill's passage to the secretary of state. Upon receipt of such certification, the secretary of state shall publish such certification in the Kansas register.

Sec. 5. K.S.A. 2023 Supp. 65-16,127 is hereby amended to read as follows: 65-16,127. (a) As used in this section:

(1) "Bystander" means a family member, friend, caregiver or other person in a position to assist a person who the family member, friend, caregiver or other person believes, in good faith, to be experiencing an opioid overdose.

(2) "Emergency opioid antagonist" means any drug that inhibits the effects of opioids and that is approved by the United States food and drug administration for the treatment of an opioid overdose.

(3) "First responder" includes any emergency medical service provider, as defined by K.S.A. 65-6112, and amendments thereto, any law enforcement officer, as defined by K.S.A. 22-2202, and amendments thereto, and any actual member of any organized fire department, whether regular or volunteer.

(4) "First responder agency" includes, but is not limited to, any law enforcement agency, fire department or criminal forensic laboratory of any city, county or the state of Kansas.

(5) "Opioid antagonist protocol" means the protocol established by the state board of pharmacy pursuant to subsection (b).

(6) "Opioid overdose" means an acute condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, mania or death, resulting from the consumption or use of an opioid or another substance with which an opioid was combined, or that a layperson would reasonably believe to be resulting from the consumption or use of an opioid or another substance with which an opioid was combined, and for which medical assistance is required.

(7) "Patient" means a person believed to be at risk of experiencing an opioid overdose.

(8) "School nurse" means a professional nurse licensed by the board of nursing and employed by a school district to perform nursing procedures in a school setting.

(9) "Healthcare provider" means a physician licensed to practice medicine and surgery by the state board of healing arts, a licensed dentist, a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto, or any person authorized by law to prescribe medication.

(b) The state board of pharmacy shall issue a statewide opioid antagonist protocol that establishes requirements for a licensed pharmacist to dispense emergency opioid antagonists to a person pursuant to this section. The opioid antagonist protocol shall include procedures to ensure accurate recordkeeping and education of the person to whom the emergency opioid antagonist is furnished, including, but not limited to: Opioid overdose prevention, recognition and response; safe administration of an emergency opioid antagonist; potential side effects or adverse events that may occur as a result of administering an emergency opioid antagonist; a requirement that the administering person immediately contact emergency medical services for a patient; and the availability of drug treatment programs.

(c) A pharmacist may furnish an emergency opioid antagonist to a patient or bystander subject to the requirements of this section, the pharmacy act of the state of Kansas and any rules and regulations adopted by the state board of pharmacy thereunder.

(d) A pharmacist furnishing an emergency opioid antagonist pursuant to this section may not permit the person to whom the emergency opioid antagonist is furnished to waive any consultation required by this section or any rules and regulations adopted thereunder.

(e) Any first responder, scientist or technician operating under a first responder agency or school nurse is authorized to possess, store, distribute and administer emergency opioid antagonists as clinically indicated, provided that all personnel with access to emergency opioid antagonists are trained, at a minimum, on the following:

- (1) Techniques to recognize signs of an opioid overdose;
- (2) standards and procedures to store, distribute and administer an emergency opioid antagonist;
- (3) emergency follow-up procedures, including the requirement to summon emergency ambulance services either immediately before or immediately after administering an emergency opioid antagonist to a patient; and
- (4) inventory requirements and reporting any administration of an emergency opioid antagonist to a healthcare provider.

(f) (1) Any first responder agency electing to provide an emergency opioid antagonist to its employees or volunteers for the purpose of administering the emergency opioid antagonist shall procure the services of a physician to serve as

physician medical director for the first responder agency's emergency opioid antagonist program.

(2) The first responder agency shall utilize the physician medical director or a licensed pharmacist for the purposes of:

- (A) Obtaining a supply of emergency opioid antagonists;
- (B) receiving assistance developing necessary policies and procedures that comply with this section and any rules and regulations adopted thereunder;
- (C) training personnel; and
- (D) coordinating agency activities with local emergency ambulance services and medical directors to provide quality assurance activities.

(g) (1) Any healthcare provider or pharmacist who, in good faith and with reasonable care, prescribes or dispenses an emergency opioid antagonist pursuant to this section shall not, by an act or omission, be subject to civil liability, criminal prosecution or any disciplinary or other adverse action by a professional licensure entity arising from the healthcare provider or pharmacist prescribing or dispensing the emergency opioid antagonist.

(2) Any patient, bystander, school nurse, or a first responder, scientist or technician operating under a first responder agency, who, in good faith and with reasonable care, receives and administers an emergency opioid antagonist pursuant to this section to a person experiencing a suspected opioid overdose shall not, by an act or omission, be subject to civil liability or criminal prosecution, unless personal injury results from the gross negligence or willful or wanton misconduct in the administration of the emergency opioid antagonist.

(3) Any first responder agency employing or contracting any person that, in good faith and with reasonable care, administers an emergency opioid antagonist pursuant to this section to a person experiencing a suspected opioid overdose shall not, by an act or omission, be subject to civil liability, criminal prosecution, any disciplinary or other adverse action by a professional licensure entity or any professional review.

(h) The state board of pharmacy shall adopt rules and regulations as may be necessary to implement the provisions of this section prior to January 1, 2018.

(i) This section shall be a part of and supplemental to the pharmacy act of the state of Kansas.

Sec. 6. K.S.A. 65-6144 is hereby amended to read as follows: 65-6144. (a) An emergency medical responder may perform any of the following interventions, by use of the devices, medications and equipment, or any combination thereof, after successfully completing an approved course of instruction, local specialized device training and competency validation and when authorized by medical protocols, or upon order when direct communication is maintained by radio, telephone or video conference is monitored by a physician, physician assistant when authorized by a physician, an advanced practice registered nurse when authorized by a physician or a professional nurse when authorized by a physician, upon order of such person:

- (1) Emergency vehicle operations;
- (2) initial scene management;
- (3) patient assessment and stabilization;
- (4) cardiac arrest management through the use of cardiopulmonary resuscitation and the use of an automated external defibrillator;
- (5) airway management and oxygen therapy;

- (6) utilization of equipment for the purposes of acquiring an EKG rhythm strip;
- (7) control of bleeding;
- (8) extremity splinting;
- (9) spinal immobilization;
- (10) nebulizer therapy;
- (11) intramuscular injections with auto-injector;
- (12) administration of medications as approved by the board by appropriate routes;
- (13) recognize and comply with advanced directives;
- (14) use of blood glucose monitoring;
- (15) ~~assist~~ assistance with childbirth;
- (16) non-invasive monitoring of hemoglobin derivatives;
- (17) distribution of non prescription, over-the-counter medications as approved by the service medical director, except an emergency medical responder shall not distribute:

(A) Any compound, mixture, or preparation that contains any detectable quantity of ephedrine, its salts or optical isomers, or salts of optical isomers and is exempt from being reported to the statewide electronic logging system for the sale of methamphetamine precursors; or

(B) any compound, mixture, or preparation that contains any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers and is exempt from being reported to the statewide electronic logging system for the sale of methamphetamine precursors; and

~~(17)~~(18) other techniques and devices of preliminary care an emergency medical responder is trained to provide as approved by the board.

Sec. 7. On and after the date of publication in the Kansas register of the notice prescribed in section 4, K.S.A. 2023 Supp. 65-484 is hereby repealed.

Sec. 8. K.S.A. 65-6144 and K.S.A. 2023 Supp. 65-16,127 are hereby repealed.

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "children and"; in line 2, by striking "minors" and inserting "healthcare providers"; in line 4, after "consent" by inserting "; enacting the no patient left alone act to require hospitals, adult care homes and hospice facilities to allow in-person visitation in certain circumstances; authorizing such patient care facilities to adopt visitation policies and procedures; expanding licensure of rural emergency hospitals that meet criteria between January 2015 and December 2020; relating to emergency medical responder authorized activities; authorizing distribution of non prescription over-the-counter medications; amending K.S.A. 65-6144 and K.S.A. 2023 Supp. 65-484 and 65-16,127 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

The motion of Senator Gossage to not adopt the conference committee report on **H Sub SB 287** and appoint new conferees prevailed by voice vote.

The President appointed Senators Gossage, Erickson and Pettey as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 291** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 291 with Committee of the Whole amendments, as follows:

On page 1, in line 29, by striking "each branch" and inserting "the legislative and executive branches"; in line 31, by striking all after the period; by striking all in line 32;

On page 2, in line 3, by striking "hardware"; by striking all in lines 9 through 12; in line 13, by striking all before the period and inserting "The project cost developed pursuant to this paragraph shall include, in consultation with the executive branch information technology officer, a plan to allow each piece of information technology hardware that is used by a judicial branch employee to access a judicial branch application to have access to the KANWIN network and an estimated project cost to develop a cybersecurity program for all judicial districts that complies with the national institute of standards and technology cybersecurity framework (CSF) 2.0, as in effect on July 1, 2024";

Also on page 2, following line 27, by inserting:

"(f) The provisions of this section do not apply to state educational institutions as defined in K.S.A. 76-711, and amendments thereto.

(g) This section shall expire on July 1, 2026.";

On page 3, in line 27, by striking "The"; by striking all in lines 28 and 29; in line 32, after "speaker" by inserting "and minority leader"; also in line 32, after "president" by inserting "and minority leader"; in line 37, after "speaker" by inserting "and minority leader"; in line 38, after "president" by inserting "and minority leader"; following line 42, by inserting:

"(e) This section shall expire on July 1, 2026.";

On page 5, in line 7, after "speaker" by inserting "and minority leader"; also in line 7, after "president" by inserting "and minority leader"; in line 12, after "speaker" by inserting "and minority leader"; in line 13, after "president" by inserting "and minority leader"; following line 17, by inserting:

"(e) This section shall expire on July 1, 2026.";

On page 6, following line 1, by inserting:

"(d) This section shall expire on July 1, 2026.";

Also on page 6, following line 27, by inserting:

"New Sec. 5.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Judiciary operations (677-00-1000-0103).....\$659,368";

On page 7, in line 24, after "thereto" by inserting ": *Provided however*, That the provisions of this subsection do not apply to state educational institutions as defined in K.S.A. 76-711, and amendments thereto";

On page 8, in line 20, after "(c)" by inserting "(1)"; in line 24, by striking "(1)" and inserting "(A)"; in line 30, by striking "(2)" and inserting "(B)"; in line 34, by striking "(3) (A) (i)" and inserting "(C) (i) (a)"; in line 38, by striking "(ii)" and inserting "(b)"; in line 41, by striking "(B)" and inserting "(ii)"; following line 43, by inserting:

"(2) The provisions of this subsection shall expire on July 1, 2026.";

On page 13, following line 27, by inserting:

"Sec. 11. On and after July 1, 2026, K.S.A. 2023 Supp. 45-229, as amended by section 10 of this act, is hereby amended to read as follows: 45-229. (a) It is the intent of the legislature that exceptions to disclosure under the open records act shall be created or maintained only if:

- (1) The public record is of a sensitive or personal nature concerning individuals;
- (2) the public record is necessary for the effective and efficient administration of a governmental program; or
- (3) the public record affects confidential information.

The maintenance or creation of an exception to disclosure must be compelled as measured by these criteria. Further, the legislature finds that the public has a right to have access to public records unless the criteria in this section for restricting such access to a public record are met and the criteria are considered during legislative review in connection with the particular exception to disclosure to be significant enough to override the strong public policy of open government. To strengthen the policy of open government, the legislature shall consider the criteria in this section before enacting an exception to disclosure.

(b) Subject to the provisions of subsections (g) and (h), any new exception to disclosure or substantial amendment of an existing exception shall expire on July 1 of the fifth year after enactment of the new exception or substantial amendment, unless the legislature acts to continue the exception. A law that enacts a new exception or substantially amends an existing exception shall state that the exception expires at the end of five years and that the exception shall be reviewed by the legislature before the scheduled date.

(c) For purposes of this section, an exception is substantially amended if the amendment expands the scope of the exception to include more records or information. An exception is not substantially amended if the amendment narrows the scope of the exception.

(d) This section is not intended to repeal an exception that has been amended following legislative review before the scheduled repeal of the exception if the exception is not substantially amended as a result of the review.

(e) In the year before the expiration of an exception, the revisor of statutes shall certify to the president of the senate and the speaker of the house of representatives, by July 15, the language and statutory citation of each exception that will expire in the following year that meets the criteria of an exception as defined in this section. Any exception that is not identified and certified to the president of the senate and the speaker of the house of representatives is not subject to legislative review and shall not expire. If the revisor of statutes fails to certify an exception that the revisor subsequently determines should have been certified, the revisor shall include the

exception in the following year's certification after that determination.

(f) "Exception" means any provision of law that creates an exception to disclosure or limits disclosure under the open records act pursuant to K.S.A. 45-221, and amendments thereto, or pursuant to any other provision of law.

(g) A provision of law that creates or amends an exception to disclosure under the open records law shall not be subject to review and expiration under this act if such provision:

- (1) Is required by federal law;
- (2) applies solely to the legislature or to the state court system;
- (3) has been reviewed and continued in existence twice by the legislature; ~~or~~
- (4) has been reviewed and continued in existence by the legislature during the 2013 legislative session and thereafter; ~~or~~

~~(5) is a report of the results of an audit conducted by the United States cybersecurity and infrastructure security agency.~~

(h) (1) The legislature shall review the exception before its scheduled expiration and consider as part of the review process the following:

- (A) What specific records are affected by the exception;
- (B) whom does the exception uniquely affect, as opposed to the general public;
- (C) what is the identifiable public purpose or goal of the exception;
- (D) whether the information contained in the records may be obtained readily by alternative means and how it may be obtained;

(2) an exception may be created or maintained only if it serves an identifiable public purpose and may be no broader than is necessary to meet the public purpose it serves. An identifiable public purpose is served if the legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exception and if the exception:

(A) Allows the effective and efficient administration of a governmental program that would be significantly impaired without the exception;

(B) protects information of a sensitive personal nature concerning individuals, the release of such information would be defamatory to such individuals or cause unwarranted damage to the good name or reputation of such individuals or would jeopardize the safety of such individuals. Only information that would identify the individuals may be excepted under this paragraph; or

(C) protects information of a confidential nature concerning entities, including, but not limited to, a formula, pattern, device, combination of devices, or compilation of information that is used to protect or further a business advantage over those who do not know or use it, if the disclosure of such information would injure the affected entity in the marketplace.

(3) Records made before the date of the expiration of an exception shall be subject to disclosure as otherwise provided by law. In deciding whether the records shall be made public, the legislature shall consider whether the damage or loss to persons or entities uniquely affected by the exception of the type specified in paragraph (2)(B) or (2)(C) would occur if the records were made public.

(i) (1) Exceptions contained in the following statutes as continued in existence in section 2 of chapter 126 of the 2005 Session Laws of Kansas and that have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-401, 2-1202, 5-512, 9-1137, 9-1712, 9-2217,

10-630, 12-189, 12-1,108, 12-1694, 12-1698, 12-2819, 12-4516, 16-715, 16a-2-304, 17-1312c, 17-2227, 17-5832, 17-7511, 17-76,139, 19-4321, 21-2511, 22-3711, 22-4707, 22-4909, 22a-243, 22a-244, 23-605, 23-9,312, 25-4161, 25-4165, 31-405, 34-251, 38-2212, 39-709b, 39-719e, 39-934, 39-1434, 39-1704, 40-222, 40-2,156, 40-2c20, 40-2c21, 40-2d20, 40-2d21, 40-409, 40-956, 40-1128, 40-2807, 40-3012, 40-3304, 40-3308, 40-3403b, 40-3421, 40-3613, 40-3805, 40-4205, 44-510j, 44-550b, 44-594, 44-635, 44-714, 44-817, 44-1005, 44-1019, 45-221(a)(1) through (43), 46-256, 46-259, 46-2201, 47-839, 47-844, 47-849, 47-1709, 48-1614, 49-406, 49-427, 55-1,102, 58-4114, 59-2135, 59-2802, 59-2979, 59-29b79, 60-3333, 60-3336, 65-102b, 65-118, 65-119, 65-153f, 65-170g, 65-177, 65-1,106, 65-1,113, 65-1,116, 65-1,157a, 65-1,163, 65-1,165, 65-1,168, 65-1,169, 65-1,171, 65-1,172, 65-436, 65-445, 65-507, 65-525, 65-531, 65-657, 65-1135, 65-1467, 65-1627, 65-1831, 65-2422d, 65-2438, 65-2836, 65-2839a, 65-2898a, 65-3015, 65-3447, 65-34,108, 65-34,126, 65-4019, 65-4922, 65-4925, 65-5602, 65-5603, 65-6002, 65-6003, 65-6004, 65-6010, 65-67a05, 65-6803, 65-6804, 66-101c, 66-117, 66-151, 66-1,190, 66-1,203, 66-1220a, 66-2010, 72-2232, 72-3438, 72-6116, 72-6267, 72-9934, 73-1228, 74-2424, 74-2433f, 74-32,419, 74-4905, 74-4909, 74-50,131, 74-5515, 74-7308, 74-7338, 74-8104, 74-8307, 74-8705, 74-8804, 74-9805, 75-104, 75-712, 75-7b15, 75-1267, 75-2943, 75-4332, 75-4362, 75-5133, 75-5266, 75-5665, 75-5666, 75-7310, 76-355, 76-359, 76-493, 76-12b11, 76-12c03, 76-3305, 79-1119, 79-1437f, 79-3234, 79-3395, 79-3420, 79-3499, 79-34,113, 79-3614, 79-3657, 79-4301 and 79-5206.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2015 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 17-2036, 40-5301, 45-221(a)(45), (46) and (49), 48-16a10, 58-4616, 60-3351, 72-3415, 74-50,217 and 75-53,105.

(j) (1) Exceptions contained in the following statutes as continued in existence in section 1 of chapter 87 of the 2006 Session Laws of Kansas and that have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-501, 9-1303, 12-4516a, 39-970, 65-525, 65-5117, 65-6016, 65-6017 and 74-7508.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2015 and that have been reviewed during the 2016 legislative session are hereby continued in existence: 12-5611, 22-4906, 22-4909, 38-2310, 38-2311, 38-2326, 40-955, 44-1132, 45-221(a)(10)(F) and (a)(50), 60-3333, 65-4a05, 65-445(g), 65-6154, 71-218, 75-457, 75-712c, 75-723 and 75-7c06.

(k) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2014 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 1-205, 2-2204, 8-240, 8-247, 8-255c, 8-1324, 8-1325, 12-17,150, 12-2001, 17-12a607, 38-1008, 38-2209, 40-5006, 40-5108, 41-2905, 41-2906, 44-706, 44-1518, 45-221(a)(44), (45), (46), (47) and (48), 50-6a11, 65-1,243, 65-16,104, 65-3239, 74-50,184, 74-8134, 74-99b06, 77-503a and 82a-2210.

(l) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2016 and that have been reviewed during the 2017 legislative session are hereby continued in existence: 12-5711, 21-2511, 22-4909, 38-2313, 45-221(a)(51) and (52), 65-516, 65-1505, 74-2012, 74-5607, 74-8745, 74-8752, 74-8772, 75-7d01, 75-7d05, 75-5133, 75-7427 and 79-3234.

(m) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2012 and that have been reviewed during the 2013 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 12-5811, 40-222, 40-223j, 40-5007a, 40-5009a, 40-5012a, 65-1685, 65-1695, 65-2838a, 66-1251, 66-1805, 72-8268, 75-712 and 75-5366.

(n) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2018 legislative session are hereby continued in existence: 9-513c(c)(2), 39-709, 45-221(a)(26), (53) and (54), 65-6832, 65-6834, 75-7c06 and 75-7c20.

(o) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2019 legislative session are hereby continued in existence: 21-2511(h)(2), 21-5905(a)(7), 22-2302(b) and (c), 22-2502(d) and (e), 40-222(k)(7), 44-714(e), 45-221(a)(55), 46-1106(g) regarding 46-1106(i), 65-2836(i), 65-2839a(c), 65-2842(d), 65-28a05(n), article 6(d) of 65-6230, 72-6314(a) and 74-7047(b).

(p) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2020 legislative session are hereby continued in existence: 38-2310(c), 40-409(j)(2), 40-6007(a), 45-221(a)(52), 46-1129, 59-29a22(b)(10) and 65-6747.

(q) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2021 legislative session are hereby continued in existence: 22-2302(c)(4)(J) and (c)(6)(B), 22-2502(e)(4)(J) and (e)(6)(B) and 65-6111(d)(4).

(r) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2023 legislative session are hereby continued in existence: 2-3902 and 66-2020.";

Also on page 13, in line 35, after "(b)" by inserting "(1)"; in line 39, by striking "(1)" and inserting "(A)";

On page 14, in line 1, by striking "(2)" and inserting "(B)"; in line 5, by striking "(3) (A) (i)" and inserting "(C) (i) (a)"; in line 9, by striking "(ii)" and inserting "(b)"; in line 12, by striking "(B)" and inserting "(ii)"; following line 14, by inserting:

"(2) The provisions of this subsection shall expire on July 1, 2026.";

Also on page 14, in line 21, after "(b)" by inserting "(1)"; in line 25, by striking "(1)" and inserting "(A)"; in line 30, by striking "(2)" and inserting "(B)"; in line 34, by

striking "(3) (A) (i)" and inserting "(C) (i) (a)"; in line 38, by striking "(ii)" and inserting "(b)"; in line 41, by striking "(B)" and inserting "(ii)"; following line 43, by inserting:

"(2) The provisions of this subsection shall expire on July 1, 2026.";

On page 15, in line 16, after "(b)" by inserting "(1)"; in line 20, by striking "(1)" and inserting "(A)"; in line 25, by striking "(2)" and inserting "(B)"; in line 29, by striking "(3) (A) (i)" and inserting "(C) (i) (a)"; in line 33, by striking "(ii)" and inserting "(b)"; in line 36, by striking "(B)" and inserting "(ii)"; following line 38, by inserting:

"(2) The provisions of this subsection shall expire on July 1, 2026.";

On page 16, in line 36, after "(e)" by inserting "(1)"; in line 40, by striking "(1)" and inserting "(A)";

On page 17, in line 2, by striking "(2)" and inserting "(B)"; in line 6, by striking "(3) (A) (i)" and inserting "(C) (i) (a)"; in line 10, by striking "(ii)" and inserting "(b)"; in line 13, by striking "(B)" and inserting "(ii)"; following line 15, by inserting:

"(2) The provisions of this subsection shall expire on July 1, 2026.";

On page 18, following line 32, by inserting:

"Sec. 17. On and after July 1, 2026, K.S.A. 2023 Supp. 75-7201, as amended by section 16 of this act, is hereby amended to read as follows: 75-7201. As used in K.S.A. 75-7201 through 75-7212, and amendments thereto:

(a) "Business risk" means the overall level of risk determined by a business risk assessment that includes, but is not limited to, cost, information security and other elements as determined by the information technology executive council's policies ~~or policies adopted by the judicial branch or the legislative coordinating council.~~

(b) "Cumulative cost" means the total expenditures, from all sources, for any information technology project by one or more state agencies to meet project objectives from project start to project completion or the date and time the project is terminated if it is not completed.

(c) "Executive agency" means any state agency in the executive branch of government, ~~including the judicial council but not the elected office agencies.~~

(d) "Information technology project" means an information technology effort by a state agency of defined and limited duration that implements, effects a change in or presents a risk to processes, services, security, systems, records, data, human resources or architecture.

(e) "Information technology project change or overrun" means any change in:

(1) Planned expenditures for an information technology project that would result in the total authorized cost of the project being increased above the currently authorized cost of such project by more than 10% of such currently authorized cost of such project or an established threshold within the information technology executive council's policies ~~or policies adopted by the judicial branch or the legislative coordinating council;~~

(2) the scope or project timeline of an information technology project, as such scope or timeline was presented to and reviewed by the joint committee or the chief information technology officer to whom the project was submitted pursuant to K.S.A. 75-7209, and amendments thereto, that is a change of more than 10% or a change that is significant as determined by the information technology executive council's policies ~~or policies adopted by the judicial branch or the legislative coordinating council;~~ or

(3) the proposed use of any new or replacement information technology equipment

or in the use of any existing information technology equipment that has been significantly upgraded.

(f) "Joint committee" means the joint committee on information technology.

(g) "Judicial agency" means any state agency in the judicial branch of government.

(h) "Legislative agency" means any state agency in the legislative branch of government.

(i) "Project" means a planned series of events or activities that is intended to accomplish a specified outcome in a specified time period, under consistent management direction within a state agency or shared among two or more state agencies, and that has an identifiable budget for anticipated expenses.

(j) "Project completion" means the date and time when the head of a state agency having primary responsibility for an information technology project certifies that the improvement being produced or altered under the project is ready for operational use.

(k) "Project start" means the date and time when a state agency begins a formal study of a business process or technology concept to assess the needs of the state agency, determines project feasibility or prepares an information technology project budget estimate under K.S.A. 75-7209, and amendments thereto.

(l) "State agency" means any state office or officer, department, board, commission, institution or bureau, or any agency, division or unit thereof.":

On page 20, following line 18, by inserting:

"Sec. 19. On and after July 1, 2026, K.S.A. 2023 Supp. 75-7202, as amended by section 18 of this act, is hereby amended to read as follows: 75-7202. (a) There is hereby established the information technology executive council which shall be attached to the office of information technology services for purposes of administrative functions.

(b) (1) The council shall be composed of ~~13~~ 17 voting members as follows:

(A) Two cabinet agency heads or such persons' designees;

(B) two noncabinet agency heads or such persons' designees;

(C) the executive chief information technology officer;

(D) the legislative chief information technology officer;

(E) the judicial chief information technology officer;

(F) the chief executive officer of the state board of regents or such person's designee;

~~(E)~~(G) one representative of cities;

~~(F)~~(H) one representative of counties; the network manager of the information network of Kansas (INK);

~~(G)~~(I) one representative with background and knowledge in technology and cybersecurity from the private sector, except that such representative or such representative's employer shall not be an information technology or cybersecurity vendor that does business with the state of Kansas;

~~(H)~~(J) one representative appointed by the Kansas criminal justice information system committee; ~~and~~

~~(I) two information technology employees from state board of regents institutions appointed by the board of regents~~(K) one member of the senate appointed by the president of the senate or such member's designee;

(L) one member of the senate appointed by the minority leader of the senate or such member's designee;

(M) one member of the house of representatives appointed by the speaker of the house of representatives or such member's designee; and

(N) one member of the house of representatives appointed by the minority leader of the house of representatives or such member's designee.

(2) ~~The chief information technology architect, the legislative chief information technology officer, the judicial chief information technology officer, one member of the senate appointed by the president of the senate, one member of the senate appointed by the minority leader of the senate, one member of the house of representatives appointed by the speaker of the house of representatives and one member of the house of representatives appointed by the minority leader of the house of representatives shall be a nonvoting member of the council.~~

(3) The cabinet agency heads, the noncabinet agency heads, the representative of cities, the representative of counties and the representative from the private sector shall be appointed by the governor for a term not to exceed 18 months. Upon expiration of an appointed member's term, the member shall continue to hold office until the appointment of a successor. Legislative members shall remain members of the legislature in order to retain membership on the council and shall serve until replaced pursuant to this section. Vacancies of members during a term shall be filled in the same manner as the original appointment only for the unexpired part of the term. The appointing authority for a member may remove the member, reappoint the member or substitute another appointee for the member at any time. Nonappointed members shall serve ex officio.

(c) ~~The chairperson of the council shall be the executive chief information technology officer drawn from the chief information technology officers, with each chief information technology officer serving a one-year term. The term of chairperson shall rotate among the chief information technology officers on an annual basis.~~

(d) The council shall hold ~~monthly~~ quarterly meetings and hearings in the city of Topeka or at such other places as the council designates, on call of the executive chief information technology officer or on request of four or more members. A quorum of the council shall be ~~seven~~ nine members. All actions of the council shall be taken by a majority of all of the members of the council.

(e) Except for members specified as a designee in subsection (b), members of the council may not appoint an individual to represent them on the council and only members of the council may vote.

(f) Members of the council shall receive mileage, tolls and parking as provided in K.S.A. 75-3223, and amendments thereto, for attendance at any meeting of the council or any subcommittee meeting authorized by the council.";

Also on page 20, in line 41, after "services" by inserting "and all cybersecurity services for state educational institutions as defined in K.S.A. 76-711, and amendments thereto, into the office of information technology services and the Kansas information security office";

On page 21, following line 6, by inserting:

"Sec. 21. On and after July 1, 2026, K.S.A. 75-7203, as amended by section 20 of this act, is hereby amended to read as follows: 75-7203. (a) The information technology executive council is hereby authorized to adopt such policies and rules and regulations

as necessary to implement, administer and enforce the provisions of this act.

(b) The council shall:

(1) Adopt:

(A) Information technology resource policies and procedures and project management methodologies for all ~~executive branch state~~ agencies;

(B) an information technology architecture, including telecommunications systems, networks and equipment, that covers all state agencies;

(C) standards for data management for all ~~executive branch state~~ agencies; and

(D) a strategic information technology management plan for the ~~executive branch state~~;

(2) provide direction and coordination for the application of the ~~executive branch's state's~~ information technology resources;

(3) designate the ownership of information resource processes and the lead ~~executive branch state~~ agency for implementation of new technologies and networks shared by multiple agencies ~~within the executive branch in different branches~~ of state government;

(4) ~~develop a plan to integrate all information technology services for the executive branch into the office of information technology services and all cybersecurity services for state educational institutions as defined in K.S.A. 76-711, and amendments thereto, into the office of information technology services and the Kansas information security office; and~~

~~(5)~~(4) perform such other functions and duties as necessary to carry out the provisions of this act.

~~(e) The information technology executive council shall report the plan developed under subsection (b)(4) to the senate standing committee on ways and means and the house standing committee on legislative modernization or its successor committee prior to January 15, 2026, in accordance with section 1, and amendments thereto.";~~

On page 22, in line 29, by striking all after the period; by striking all in line 30; following line 39, by inserting:

"Sec. 23. On and after July 1, 2026, K.S.A. 2023 Supp. 75-7205, as amended by section 22 of this act, is hereby amended to read as follows: 75-7205. (a) There is hereby established within and as a part of the office of information technology services the position of executive chief information technology officer. The executive chief information technology officer shall be in the unclassified service under the Kansas civil service act, shall be appointed by the governor, and shall receive compensation in an amount fixed by the governor. The executive chief information technology officer shall maintain a presence in any cabinet established by the governor and shall report to the governor.

(b) The executive chief information technology officer shall:

(1) Review and consult with each executive agency regarding information technology plans, deviations from the state information technology architecture, information technology project estimates and information technology project changes and overruns submitted by such agency pursuant to K.S.A. 75-7209, and amendments thereto, to determine whether the agency has complied with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(2) report to the chief information technology architect all deviations from the state information architecture that are reported to the executive information technology officer by executive agencies;

(3) submit recommendations to the division of the budget as to the technical and management merit of information technology projects and information technology project changes and overruns submitted by executive agencies that are reportable pursuant to K.S.A. 75-7209, and amendments thereto;

(4) monitor executive agencies' compliance with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(5) coordinate implementation of new information technology among executive agencies and with the judicial and legislative chief information technology officers;

(6) designate the ownership of information resource processes and the lead agency for implementation of new technologies and networks shared by multiple agencies within the executive branch of state government; and

(7) perform such other functions and duties as provided by law or as directed by the governor;

~~(8) consult with the appropriate legal counsel on topics related to confidentiality of information, the open records act, K.S.A. 45-215 et seq., and amendments thereto, the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto, and any other legal matter related to information technology;~~

~~(9) ensure that each executive agency has the necessary information technology and cybersecurity staff imbedded within the agency to accomplish the agency's duties;~~

~~(10) maintain all third-party data centers at locations within the United States or with companies that are based in the United States; and~~

~~(11) create a database of all electronic devices within the branch and ensure that each device is inventoried, cataloged and tagged within an inventory device.~~

~~(e) An employee of the office of information technology services shall not disclose confidential information of an executive agency.~~

~~(d) The executive chief information technology officer may make a request to the adjutant general to permit the Kansas national guard in a state active duty capacity to perform vulnerability assessments or other assessments of the branch for the purpose of enhancing security. During such vulnerability assessments, members performing the assessment shall, to the extent possible, ensure that no harm is done to the systems being assessed. The executive chief information technology officer shall notify the~~

~~executive agency that owns the information systems being assessed about such assessment and coordinate to mitigate the security risk";~~

On page 24, in line 14, by striking all after the period; by striking all in line 15; following line 24, by inserting:

"Sec. 25. On and after July 1, 2026, K.S.A. 2023 Supp. 75-7206, as amended by section 24 of this act, is hereby amended to read as follows: 75-7206. (a) There is hereby established within and as a part of the office of the state judicial administrator the position of judicial chief information technology officer. The judicial chief information technology officer shall be appointed by the judicial administrator, subject to approval of the chief justice, and shall receive compensation determined by the judicial administrator, subject to approval of the chief justice.

(b) The judicial chief information technology officer shall:

(1) Review and consult with each judicial agency regarding information technology plans, deviations from the state information technology architecture, information technology project estimates and information technology project changes and overruns submitted by such agency pursuant to K.S.A. 75-7209, and amendments thereto, to determine whether the agency has complied with ~~policies and procedures adopted by the judicial branch;~~

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(2) report to the chief information technology architect all deviations from the state information architecture that are reported to the judicial information technology officer by judicial agencies;

(3) submit recommendations to the judicial administrator as to the technical and management merit of information technology projects and information technology project changes and overruns submitted by judicial agencies that are reportable pursuant to K.S.A. 75-7209, and amendments thereto;

(4) monitor judicial agencies' compliance with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(5) coordinate implementation of new information technology among judicial agencies and with the executive and legislative chief information technology officers;

~~(6)~~ designate the ownership of information resource processes and the lead agency for implementation of new technologies and networks shared by multiple agencies within the judicial branch of state government; and

~~(6)(7)~~ perform such other functions and duties as provided by law or as directed by the judicial administrator;

~~(7)~~ ensure that each judicial agency has the necessary information technology and cybersecurity staff imbedded within the agency to accomplish the agency's duties;

~~(8)~~ maintain all third-party data centers at locations within the United States or with companies that are based in the United States; and

~~(9)~~ create a database of all electronic devices within the branch and ensure that each device is inventoried, cataloged and tagged with an inventory device.

~~(c)~~ An employee of the office of the state judicial administrator shall not disclose confidential information of a judicial agency.

~~(d)~~ The judicial chief information technology officer may make a request to the adjutant general to permit the Kansas national guard in a state active duty capacity to perform vulnerability assessments or other assessments of the branch for the purpose of enhancing security. During such vulnerability assessments, members performing the assessment shall, to the extent possible, ensure that no harm is done to the systems being assessed. The judicial chief information technology officer shall notify the judicial agency that owns the information systems being assessed about such assessment and coordinate to mitigate the security risk.";

On page 25, in line 38, after the semicolon by inserting "and"; in line 41, by striking all after "device"; by striking all in lines 42 and 43;

On page 26, in line 1, by striking all before the period; in line 4, by striking all after the period; by striking all in line 5; following line 14, by inserting:

"Sec. 27. On and after July 1, 2026, K.S.A. 2023 Supp. 75-7208, as amended by section 26 of this act, is hereby amended to read as follows: 75-7208. ~~(a)~~ The legislative chief information technology officer shall:

~~(+)(a)~~ Review and consult with each legislative agency regarding information technology plans, deviations from the state information technology architecture, information technology project estimates and information technology project changes and overruns submitted by such agency pursuant to K.S.A. 75-7209, and amendments thereto, to determine whether the agency has complied with the ~~policies and procedures adopted by the legislative coordinating council;~~

(1) Information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(2) information technology architecture adopted by the information technology executive council;

(3) standards for data management adopted by the information technology executive council; and

(4) strategic information technology management plan adopted by the information technology executive council;

~~(2)(b)~~ report to the chief information technology architect all deviations from the state information architecture that are reported to the legislative information technology officer by legislative agencies;

~~(3)(c)~~ submit recommendations to the legislative coordinating council as to the technical and management merit of information technology projects and information technology project changes and overruns ~~submitted by the legislative agencies that are reportable pursuant to K.S.A. 75-7209, and amendments thereto;~~

- (d) monitor legislative agencies' compliance with the:
- (1) Information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;
 - (2) information technology architecture adopted by the information technology executive council;
 - (3) standards for data management adopted by the information technology executive council; and
 - (4) strategic information technology management plan adopted by the information technology executive council;
- ~~(4)(c) coordinate implementation of new information technology among legislative agencies and with the executive and judicial chief information technology officers;~~
- ~~(5)(f) designate the ownership of information resource processes and the lead agency for implementation of new technologies and networks shared by multiple agencies within the legislative branch of state government;~~
- ~~(6)(g) serve as staff of the joint committee; and~~
- ~~(7)(h) perform such other functions and duties as provided by law or as directed by the legislative coordinating council or the joint committee;~~
- ~~(8) consult and obtain approval from the revisor of statutes prior to taking action on topics related to confidentiality of information, the open records act, K.S.A. 45-215 et seq., and amendments thereto, the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto, and any other legal matter related to information technology;~~
- ~~(9) ensure that each legislative agency has the necessary information technology and cybersecurity staff imbedded within the agency to accomplish the agency's duties;~~
- ~~(10) maintain all third-party data centers at locations within the United States or with companies that are based in the United States; and~~
- ~~(11) create a database of all electronic devices within the branch and ensure that each device is inventoried, cataloged and tagged with an inventory device.~~
- ~~(b) An employee of the Kansas legislative office of information services or the division of legislative administrative services shall not disclose confidential information of a legislative agency.~~
- ~~(c) The legislative chief information technology officer may make a request to the adjutant general to permit the Kansas national guard in a state active duty capacity to perform vulnerability assessments or other assessments of the branch for the purpose of enhancing security. During such vulnerability assessments, members performing the assessment shall, to the extent possible, ensure that no harm is done to the systems being assessed. The legislative chief information technology officer shall notify the legislative agency that owns the information systems being assessed about such assessment and coordinate and coordinate to mitigate the security risk.";~~

On page 28, following line 29, by inserting:

"Sec. 29. On and after July 1, 2026, K.S.A. 2023 Supp. 75-7209, as amended by section 28 of this act, is hereby amended to read as follows: 75-7209. (a) (1) Whenever an agency proposes an information technology project, such agency shall prepare and submit information technology project documentation to the chief information technology officer of the branch of state government of which the agency is a part. Such information technology project documentation shall:

(A) Include a financial plan showing the proposed source of funding and categorized expenditures for each phase of the project and cost estimates for any needs analyses or other investigations, consulting or other professional services, computer programs, data, equipment, buildings or major repairs or improvements to buildings and other items or services necessary for the project; and

(B) be consistent with:

(i) Information technology resource policies and procedures and project management methodologies for all state agencies;

(ii) an information technology architecture, including telecommunications systems, networks and equipment, that covers all state agencies;

(iii) standards for data management for all state agencies; and

(iv) a strategic information technology management plan for the state.

(2) Any information technology project with significant business risk, as determined pursuant to the information technology executive council's policies ~~or policies adopted by the judicial branch or the legislative coordinating council~~, shall be presented to the joint committee on information technology by such branch chief information technology officer.

(b) (1) Prior to the release of any request for proposal for an information technology project with significant business risk:

(A) Specifications for bids or proposals for such project shall be submitted to the chief information technology officer of the branch of state government of which the agency or agencies are a part. Information technology projects requiring chief information technology officer approval shall also require the chief information technology officer's written approval on specifications for bids or proposals; and

(B) (i) The chief information technology officer of the appropriate branch over the state agency or agencies that are involved in such project shall submit the project, the project plan, including the architecture, and the cost-benefit analysis to the joint committee on information technology to advise and consult on the project. Such chief information technology officer shall submit such information to each member of the joint committee and to the director of the legislative research department. Each such project plan summary shall include a notice specifying the date the summary was mailed or emailed. After receiving any such project plan summary, each member shall review the information and may submit questions, requests for additional information or request a presentation and review of the proposed project at a meeting of the joint committee. If two or more members of the joint committee contact the director of the legislative research department within seven business days of the date specified in the summary description and request that the joint committee schedule a meeting for such presentation and review, then the director of the legislative research department shall notify the chief information technology officer of the appropriate branch, the head of such agency and the chairperson of the joint committee that a meeting has been requested for such presentation and review on the next business day following the members' contact with the director of the legislative research department. Upon receiving such notification, the chairperson shall call a meeting of the joint committee as soon as practicable for the purpose of such presentation and review and shall furnish the chief information technology officer of the appropriate branch and the head of such agency with notice of the time, date and place of the meeting. Except as provided in subsection (b)(1)(B)(ii), the state agency shall not authorize or approve the release of

any request for proposal or other bid event for an information technology project without having first advised and consulted with the joint committee at a meeting.

(ii) The state agency or agencies shall be deemed to have advised and consulted with the joint committee about such proposed release of any request for proposal or other bid event for an information technology project and may authorize or approve such proposed release of any request for proposal or other bid event for an information technology project if:

(a) Fewer than two members of the joint committee contact the director of the legislative research department within seven business days of the date the project plan summary was mailed and request a committee meeting for a presentation and review of any such proposed request for proposal or other bid event for an information technology project; or

(b) a committee meeting is requested by at least two members of the joint committee pursuant to this paragraph, but such meeting does not occur within two calendar weeks of the chairperson receiving the notification from the director of the legislative research department of a request for such meeting.

(2) (A) Agencies are prohibited from contracting with a vendor to implement the project if that vendor prepared or assisted in the preparation of the program statement, the project planning documents or any other project plans prepared prior to the project being approved by the chief information technology officer as required by this section.

(B) Information technology projects with an estimated cumulative cost of less than \$5,000,000 are exempted from the provisions of subparagraph (A).

(C) The provisions of subparagraph (A) may be waived with prior written permission from the chief information technology officer.

(c) Annually at the time specified by the chief information technology officer of the branch of state government of which the agency is a part, each agency shall submit to such officer:

(1) A copy of a three-year strategic information technology plan that sets forth the agency's current and future information technology needs and utilization plans for the next three ensuing fiscal years, in such form and containing such additional information as prescribed by the chief information technology officer; and

(2) any deviations from the state information technology architecture adopted by the information technology executive council.

(d) The provisions of this section shall not apply to the information network of Kansas (INK).";

On page 29, following line 40, by inserting:

"Sec. 31. On and after July 1, 2026, K.S.A. 2023 Supp. 75-7237, as amended by section 30 of this act, is hereby amended to read as follows: 75-7237. As used in K.S.A. 75-7236 through 75-7243, and amendments thereto:

(a) "Act" means the Kansas cybersecurity act.

(b) "Breach" or "breach of security" means unauthorized access of data in electronic form containing personal information. Good faith access of personal information by an employee or agent of an executive branch agency does not constitute a breach of security, provided that the information is not used for a purpose unrelated to the business or subject to further unauthorized use.

- (c) "CISO" means the executive branch chief information security officer.
- (d) "Cybersecurity" means the body of information technologies, processes and practices designed to protect networks, computers, programs and data from attack, damage or unauthorized access.
- (e) "Cybersecurity positions" do not include information technology positions within executive branch agencies.
- (f) "Data in electronic form" means any data stored electronically or digitally on any computer system or other database and includes recordable tapes and other mass storage devices.
- (g) "Executive branch agency" means any agency in the executive branch of the state of Kansas, ~~including the judicial council~~ but does not include the elected office agencies, the adjutant general's department, the Kansas public employees retirement system, regents' institutions, or the board of regents.
- (h) "KISO" means the Kansas information security office.
- (i) (1) "Personal information" means:
 - (A) An individual's first name or first initial and last name, in combination with at least one of the following data elements for that individual:
 - (i) Social security number;
 - (ii) driver's license or identification card number, passport number, military identification number or other similar number issued on a government document used to verify identity;
 - (iii) financial account number or credit or debit card number, in combination with any security code, access code or password that is necessary to permit access to an individual's financial account;
 - (iv) any information regarding an individual's medical history, mental or physical condition or medical treatment or diagnosis by a healthcare professional; or
 - (v) an individual's health insurance policy number or subscriber identification number and any unique identifier used by a health insurer to identify the individual; or
 - (B) a user name or email address, in combination with a password or security question and answer that would permit access to an online account.
- (2) "Personal information" does not include information:
 - (A) About an individual that has been made publicly available by a federal agency, state agency or municipality; or
 - (B) that is encrypted, secured or modified by any other method or technology that removes elements that personally identify an individual or that otherwise renders the information unusable.
- (j) "State agency" means the same as defined in K.S.A. 75-7201, and amendments thereto.;

On page 31, in line 3, after "executive" by inserting "branch"; in line 7, after "executive" by inserting "branch"; following line 8, by inserting:

"Sec. 33. On and after July 1, 2026, K.S.A. 2023 Supp. 75-7238, as amended by section 32 of this act, is hereby amended to read as follows: 75-7238. (a) There is hereby established the position of executive branch chief information security officer (CISO). The ~~executive~~ CISO shall be in the unclassified service under the Kansas civil service act, shall be appointed by the governor and shall receive compensation in an amount fixed by the governor.

- (b) The executive CISO shall:
- (1) Report to the executive branch chief information technology officer;
 - (2) ~~establish security standards and policies to protect the branch's information technology systems and infrastructure in accordance with subsection (c);~~
 - (3) ~~ensure the confidentiality, availability and integrity of the information transacted, stored or processed in the branch's information technology systems and infrastructure;~~
 - (4) ~~develop a centralized cybersecurity protocol for protecting and managing executive branch information technology assets and infrastructure;~~
 - (5) ~~detect and respond to security incidents consistent with information security standards and policies;~~
 - (6) ~~be responsible for the cybersecurity of all executive branch data and information resources;~~
 - (7) ~~collaborate with the chief information security officers of the other branches of state government to respond to cybersecurity incidents;~~
 - (8) ~~ensure that the governor and all executive branch employees complete cybersecurity awareness training annually and that if an employee does not complete the required training such employee's access to any state-issued hardware or the state network is revoked; and~~
 - (9) ~~review all contracts related to information technology entered into by a person or entity within the executive branch to make efforts to reduce the risk of security vulnerabilities within the supply chain or product and ensure each contract contains standard security language.~~
- (c) ~~The executive CISO shall develop a cybersecurity program for each executive branch agency that complies with the national institute of standards and technology cybersecurity framework (CSF) 2.0, as in effect on July 1, 2024. The executive CISO shall ensure that such programs achieve a CSF tier of 3.0 prior to July 1, 2028, and a CSF tier of 4.0 prior to July 1, 2030. The agency head of each executive branch agency shall coordinate with the executive CISO to achieve such standards serve as the state's CISO:~~
- (3) serve as the executive branch chief cybersecurity strategist and authority on policies, compliance, procedures, guidance and technologies impacting executive branch cybersecurity programs;
 - (4) ensure Kansas information security office resources assigned or provided to executive branch agencies are in compliance with applicable laws and rules and regulations;
 - (5) coordinate cybersecurity efforts between executive branch agencies;
 - (6) provide guidance to executive branch agencies when compromise of personal information or computer resources has occurred or is likely to occur as the result of an identified high-risk vulnerability or threat;
 - (7) set cybersecurity policy and standards for executive branch agencies; and
 - (8) perform such other functions and duties as provided by law and as directed by the executive chief information technology officer.";

On page 32, in line 34, after "speaker" by inserting "and minority leader"; in line 35, after "president" by inserting "and minority leader"; in line 39, after "speaker" by inserting "and minority leader"; in line 40, after "president" by inserting "and minority leader";

On page 33, following line 9, by inserting:

"Sec. 35. On and after July 1, 2026, K.S.A. 2023 Supp. 75-7239, as amended by section 34 of this act, is hereby amended to read as follows: 75-7239. (a) There is hereby established within and as a part of the office of information technology services the Kansas information security office. The Kansas information security office shall be administered by the ~~executive~~ CISO and be staffed appropriately to effect the provisions of the Kansas cybersecurity act.

(b) For the purpose of preparing the governor's budget report and related legislative measures submitted to the legislature, the Kansas information security office, established in this section, shall be considered a separate state agency and shall be titled for such purpose as the "Kansas information security office." The budget estimates and requests of such office shall be presented as from a state agency separate from the office of information technology services, and such separation shall be maintained in the budget documents and reports prepared by the director of the budget and the governor, or either of them, including all related legislative reports and measures submitted to the legislature.

(c) Under direction of the ~~executive~~ CISO, the KISO shall:

- (1) Administer the Kansas cybersecurity act;
- (2) ~~develop, implement and monitor~~assist the executive branch in developing, implementing and monitoring strategic and comprehensive information security risk-management programs;
- (3) facilitate executive branch information security governance, including the consistent application of information security programs, plans and procedures;
- (4) using standards adopted by the information technology executive council, create and manage a unified and flexible control framework to integrate and normalize requirements resulting from applicable state and federal laws and rules and regulations;
- (5) facilitate a metrics, logging and reporting framework to measure the efficiency and effectiveness of state information security programs;
- (4)(6) provide the executive branch strategic risk guidance for information technology projects, including the evaluation and recommendation of technical controls;
- (5)(7) assist in the development of executive branch agency cybersecurity programs to ensure compliance with applicable state and federal laws, rules and regulations, executive branch policies and standards and policies and standards adopted by the information technology executive council;
- (8) ~~coordinate with the United States cybersecurity and infrastructure security agency to perform annual audits of executive branch agencies for compliance with applicable state and federal laws, rules and regulations and, executive branch policies and standards. The executive CISO shall make an audit request to such agency annually, regardless of whether or not such agency has the capacity to perform the requested audit;~~
- (6) ~~perform audits of executive branch agencies for compliance with applicable state and federal laws, rules and regulations, executive branch policies and standards and policies and standards adopted by the information technology executive council;~~
- (7)(9) coordinate the use of external resources involved in information security programs, including, but not limited to, interviewing and negotiating contracts and fees;

~~(8)~~(10) liaise with external agencies, such as law enforcement and other advisory bodies as necessary, to ensure a strong security posture;

~~(9)~~(11) assist in the development of plans and procedures to manage and recover business-critical services in the event of a cyberattack or other disaster;

~~(10)~~ coordinate with executive branch agencies to provide cybersecurity staff to such agencies as necessary;

~~(11)~~(12) assist executive branch agencies to create a framework for roles and responsibilities relating to information ownership, classification, accountability and protection;

(13) ensure a cybersecurity awareness training program is made available to all branches of state government; and

~~(12)~~(14) perform such other functions and duties as provided by law and as directed by the CISO.

~~(d)(1)~~ If an audit conducted pursuant to subsection (c)(5) results in a failure, the executive CISO shall report such failure to the speaker and minority leader of the house of representatives and the president and minority leader of the senate within 30 days of receiving notice of such failure. Such report shall contain a plan to mitigate any security risks identified in the audit. The executive CISO shall coordinate for an additional audit after the mitigation plan is implemented and report the results of such audit to the speaker and minority leader of the house of representatives and the president and minority leader of the senate.

(2) Results of audits conducted pursuant to subsection (c)(5) and the reports described in subsection (d)(1) (c)(8) shall be confidential and shall not be subject to discovery or disclosure pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2028, unless the legislature reviews and acts to continue such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.

~~(e)~~ There is hereby created in the state treasury the information technology security fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive CISO or by a person designated by the executive CISO.";

On page 35, following line 14, by inserting:

"Sec. 37. On and after July 1, 2026, K.S.A. 2023 Supp. 75-7240, as amended by section 36 of this act, is hereby amended to read as follows: 75-7240. (a) The executive branch agency heads shall:

(1) Be solely responsible for security of all data and information technology resources under such agency's purview, irrespective of the location of the data or resources. Locations of data may include:

(A) Agency sites;

(B) agency real property;

(C) infrastructure in state data centers;

(D) third-party locations; and

(E) in transit between locations;

(2) ensure that an agency-wide information security program is in place;

~~(2)~~(3) designate an information security officer to administer the agency's information security program that reports directly to executive leadership;

~~(3)~~(4) participate in CISO-sponsored statewide cybersecurity program initiatives and services;

(5) implement policies and standards to ensure that all the agency's data and information technology resources are maintained in compliance with applicable state and federal laws and rules and regulations;

(6) implement appropriate cost-effective safeguards to reduce, eliminate or recover from identified threats to data and information technology resources;

(7) include all appropriate cybersecurity requirements in the agency's request for proposal specifications for procuring data and information technology systems and services;

(8) (A) submit a cybersecurity self-assessment report to the CISO by October 16 of each even-numbered year, including an executive summary of the findings, that assesses the extent to which the agency is vulnerable to unauthorized access or harm, including the extent to which the agency's or contractor's electronically stored information is vulnerable to alteration, damage, erasure or inappropriate use;

(B) ensure that the agency conducts annual internal assessments of its security program. Internal assessment results shall be considered confidential and shall not be subject to discovery by or release to any person or agency, outside of the KISO or CISO, without authorization from the executive branch agency director or head; and

(C) prepare or have prepared a financial summary identifying cybersecurity expenditures addressing the findings of the cybersecurity self-assessment report required in subparagraph (A), excluding information that might put the data or information resources of the agency or its contractors at risk and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means; and

~~(4)~~(9) ensure that if an agency owns, licenses or maintains computerized data that includes personal information, confidential information or information, the disclosure of which is regulated by law, such agency shall, in the event of a breach or suspected breach of system security or an unauthorized exposure of that information:

(A) Comply with the notification requirements set out in K.S.A. 2023 Supp. 50-7a01 et seq., and amendments thereto, and applicable federal laws and rules and regulations, to the same extent as a person who conducts business in this state; and

(B) not later than ~~12~~ 48 hours after the discovery of the breach, suspected breach or unauthorized exposure, notify:

(i) The CISO; and

(ii) if the breach, suspected breach or unauthorized exposure involves election data, the secretary of state.

(b) The director or head of each state agency shall:

(1) Participate in annual agency leadership training to ensure understanding of:

(A) The potential impact of common types of cyberattacks and data breaches on the agency's operations and assets;

(B) how cyberattacks and data breaches on the agency's operations and assets may impact the operations and assets of other governmental entities on the state enterprise network;

(C) how cyberattacks and data breaches occur; and

(D) steps to be undertaken by the executive director or agency head and agency employees to protect their information and information systems; ~~and~~

~~(2) coordinate with the executive CISO to implement the security standard described in K.S.A. 75-7238, and amendments thereto ensure that all information technology login credentials are disabled the same day that any employee ends their employment with the state; and~~

~~(3) require that all employees with access to information technology receive a minimum of one hour of information technology security training per year.~~

(c) (1) The CISO, with input from the joint committee on information technology and the joint committee on Kansas security, shall develop a self-assessment report template for use under subsection (a)(8)(A). The most recent version of such template shall be made available to state agencies prior to July 1 of each even-numbered year. The CISO shall aggregate data from the self-assessments received under subsection (a)(8)(A) and provide a summary of such data to the joint committee on information technology and the joint committee on Kansas security.

(2) Self-assessment reports made to the CISO pursuant to subsection (a)(8)(A) shall be confidential and shall not be subject to the provisions of the open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall expire on July 1, 2028, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.;

Also on page 35, following line 18, by inserting:

"Sec. 39. On and after July 1, 2026, K.S.A. 75-7203, as amended by section 20 of this act, and K.S.A. 2023 Supp. 45-229, as amended by section 10 of this act, 75-7201, as amended by section 16 of this act, 75-7202, as amended by section 18 of this act, 75-7205, as amended by section 22 of this act, 75-7206, as amended by section 24 of this act, 75-7208, as amended by section 26 of this act, 75-7209, as amended by section 28 of this act, 75-7237, as amended by section 30 of this act, 75-7238, as amended by section 32 of this act, 75-7239, as amended by section 34 of this act, and 75-7240, as amended by section 36 of this act, are hereby repealed.;"

And by renumbering sections accordingly;

On page 1, in the title, in line 15, after "for" by inserting "the judicial branch,;" in line 20, after the semicolon by inserting "providing for expiration of certain amendments made by this act,;" also in line 20, by striking "and" and inserting a comma; in line 21, after "75-7203" by inserting "and 75-7203, as amended by section 20 of this act,;" also in line 21, after the first comma by inserting "45-229, as amended by section 10 of this act,;" also in line 21, after the second comma by inserting "75-7201, as amended by section 16 of this act,;" also in line 21, after the third comma by inserting "75-7202, as amended by section 18 of this act,;" also in line 21, after the fourth comma by inserting "75-7205, as amended by section 22 of this act,;" in line 22, after the first comma by inserting "75-7206, as amended by section 24 of this act,;" also in line 22, after the second comma by inserting "75-7208, as amended by section 26 of this act,;" also in line 22, after the third comma by inserting "75-7209, as amended by section 28 of this act,;" also in line 22, after the fourth comma by inserting "75-7237, as amended by section 30 of this act,;" also in line 22, after the fifth comma by inserting "75-7238, as amended by section 32 of this act,;" also in line 22, by striking "and" and inserting ", 75-7239, as amended by section 34 of this act,;" also in line 22, after "75-7240" by inserting "and 75-7240, as amended by section 36 of this act,;"

And your committee on conference recommends the adoption of this report.

BARB WASINGER

CYNDI HOWERTON

JERRY STOGSDILL

Conferees on part of House

MIKE THOMPSON

RICK KLOOS

JEFF PITTMAN

Conferees on part of Senate

Senator Thompson moved the Senate adopt the Conference Committee Report on **H Sub SB 291**.

On roll call, the vote was: Yeas 27; Nays 9; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Billinger, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kloos, Longbine, Masterson, McGinn, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Thompson, Warren, Wilborn.

Nays: Baumgardner, Holland, Kerschen, Peck, Pyle, Shallenburger, Steffen, Straub, Tyson.

Absent or Not Voting: Blasi, Claeys, O'Shea, Ware.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 414** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Further Amended by House Committee, as follows:

On page 1, by striking all in lines 23 through 32;

On page 2, by striking all in lines 1 through 14; following line 14, by inserting:

"Section 1. On and after July 1, 2024, K.S.A. 8-1567 is hereby amended to read as follows: 8-1567. (a) Driving under the influence is operating or attempting to operate any vehicle within this state while:

(1) The alcohol concentration in the person's blood or breath as shown by any competent evidence, including other competent evidence, as defined in K.S.A. 8-1013(f)(1), and amendments thereto, is 0.08 or more;

(2) the alcohol concentration in the person's blood or breath, as measured within three hours of the time of operating or attempting to operate a vehicle, is 0.08 or more;

(3) under the influence of alcohol to a degree that renders the person incapable of safely driving a vehicle;

(4) under the influence of any drug or combination of drugs to a degree that renders the person incapable of safely driving a vehicle; or

(5) under the influence of a combination of alcohol and any drug or drugs to a degree that renders the person incapable of safely driving a vehicle.

(b) (1) Driving under the influence is:

(A) On a first conviction, a class B, nonperson misdemeanor. The person convicted

shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's discretion 100 hours of public service, and fined not less than \$750 nor more than \$1,000;

(B) on a second conviction, a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The following conditions shall apply to such sentence:

(i) As a condition of any probation granted under this subsection, the person shall serve at least 120 hours of confinement. The hours of confinement shall include at least 48 hours of imprisonment and otherwise may be served by a combination of: Imprisonment; a work release program, if such work release program requires such person to return to the confinement at the end of each day in the work release program; or a house arrest program pursuant to K.S.A. 21-6609, and amendments thereto;

(ii) (a) if the person is placed into a work release program or placed under a house arrest program for any portion of the minimum of 120 hours of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program until the minimum sentence is met. If the person is placed into a work release program or placed under a house arrest program for more than the minimum of 120 hours of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program until the minimum of 120 hours of confinement is completed, and thereafter, the person shall receive day-for-day credit for time served in such program unless otherwise ordered by the court; and

(b) when in a work release program, the person shall only be given credit for the time served in confinement at the end of and continuing to the beginning of the person's work day. When under a house arrest program, the person shall be monitored by an electronic monitoring device that verifies the person's location and shall only be given credit for the time served within the boundaries of the person's residence;

(C) on a third conviction, a class A, nonperson misdemeanor, except as provided in subsection (b)(1)(D). The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The following conditions shall apply to such sentence:

(i) As a condition of any probation granted under this subsection, the person shall serve at least 30 days of confinement. After at least 48 consecutive hours of imprisonment, the remainder of the period of confinement may be served by a combination of: Imprisonment; a work release program, if such work release program requires such person to return to the confinement at the end of each day in the work release program; or a house arrest program pursuant to K.S.A. 21-6609, and amendments thereto; and

(ii) (a) if the person is placed into a work release program or placed under a house arrest program for any portion of the minimum of 30 days of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program for the first 240 hours of confinement, and thereafter, the person shall receive day-for-day credit for time served in such program unless otherwise ordered by the court; and

(b) when in a work release program, the person shall only be given credit for the time served in confinement at the end of and continuing to the beginning of the person's work day. When under a house arrest program, the person shall be monitored by an

electronic monitoring device that verifies the person's location and shall only be given credit for the time served within the boundaries of the person's residence;

(D) on a third conviction, a severity level 6, nonperson felony if the person has a prior conviction which occurred within the preceding 10 years, not including any period of incarceration. The following conditions shall apply to such sentence:

(i) As a condition of any probation granted under this subsection, the person shall serve at least 30 days of confinement. After at least 48 consecutive hours of imprisonment, the remainder of the period of confinement may be served by a combination of: Imprisonment; a work release program, if such work release program requires such person to return to the confinement at the end of each day in the work release program; or a house arrest program pursuant to K.S.A. 21-6609, and amendments thereto; and

(ii) (a) if the person is placed into a work release program or placed under a house arrest program for any portion of the minimum of 30 days of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program for the first 240 hours of confinement, and thereafter, the person shall receive day-for-day credit for time served in such program unless otherwise ordered by the court; and

(b) when in a work release program, the person shall only be given credit for the time served in confinement at the end of and continuing to the beginning of the person's work day. When under a house arrest program, the person shall be monitored by an electronic monitoring device that verifies the person's location and shall only be given credit for the time served within the boundaries of the person's residence; and

(E) on a fourth or subsequent conviction, a severity level 6, nonperson felony. The following conditions shall apply to such sentence:

(i) As a condition of any probation granted under this subsection, the person shall serve at least 30 days of confinement. After at least 48 consecutive hours of imprisonment, the remainder of the period of confinement may be served by a combination of: Imprisonment; a work release program, if such work release program requires such person to return to the confinement at the end of each day in the work release program; or a house arrest program pursuant to K.S.A. 21-6609, and amendments thereto; and

(ii) (a) if the person is placed into a work release program or placed under a house arrest program for any portion of the minimum of 30 days of confinement mandated by this subsection, the person shall receive hour-for-hour credit for time served in such program for the first 240 hours of confinement, and thereafter, the person shall receive day-for-day credit for time served in such program unless otherwise ordered by the court; and

(b) when in a work release program, the person shall only be given credit for the time served in confinement at the end of and continuing to the beginning of the person's work day. When under a house arrest program, the person shall be monitored by an electronic monitoring device that verifies the person's location and shall only be given credit for the time served within the boundaries of the person's residence.

(2) (A) The court may order that the term of imprisonment imposed pursuant to subsection (b)(1)(D) or (b)(1)(E) be served in a state facility in the custody of the secretary of corrections in a facility designated by the secretary for the provision of substance abuse treatment pursuant to the provisions of K.S.A. 21-6804, and

amendments thereto. The secretary of corrections may refuse to admit the person to the designated facility and place the person in a different state facility, or admit the person and subsequently transfer the person to a different state facility, if the secretary determines: ~~(A)(i)~~ That substance abuse treatment resources or the capacity of the facility designated by the secretary for the incarceration and treatment of the person is not available; ~~(B)(ii)~~ the person has failed to meaningfully participate in the treatment program of the designated facility; ~~(C)(iii)~~ the person is disruptive to the security or operation of the designated facility; or ~~(D)(iv)~~ the medical or mental health condition of the person renders the person unsuitable for confinement at the designated facility. The determination by the secretary that the person either is not to be admitted into the designated facility or is to be transferred from the designated facility is not subject to review.

(B) In addition to the provisions of subsection (b)(1), for any conviction pursuant to subsection (b)(1)(D) or (b)(1)(E), if the person is granted probation, the court shall determine whether the person shall be supervised by community correctional services or court services based on the risk and needs of the person. The risk and needs of the person shall be determined by use of a risk assessment tool specified by the Kansas sentencing commission. During the probation supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a Kansas department for aging and disability services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination agency, the supervision officer, the Kansas department for aging and disability services designated treatment provider and the person.

(3) In addition to the provisions of subsection (b)(1), for any conviction pursuant to subsection (b)(1)(C), at the time of the filing of the judgment form or journal entry as required by K.S.A. 21-6711 or 22-3426 or K.S.A. 21-6711, and amendments thereto, the court shall cause a certified copy to be sent to the officer having the ~~offender person~~ in charge. The court shall determine whether the ~~offender person~~, upon release from imprisonment, shall be supervised by community correctional services or court services based upon the risk and needs of the ~~offender person~~. The risk and needs of the ~~offender person~~ shall be determined by use of a risk assessment tool specified by the Kansas sentencing commission. The law enforcement agency maintaining custody and control of a ~~defendant person~~ for imprisonment shall cause a certified copy of the judgment form or journal entry to be sent to the supervision office designated by the court and upon expiration of the term of imprisonment shall deliver the ~~defendant person~~ to a location designated by the supervision office designated by the court. After the term of imprisonment imposed by the court, the person shall be placed on supervision to community correctional services or court services, as determined by the court, for a mandatory one-year period of supervision, which such period of supervision shall not be reduced. During such supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a Kansas department for aging and disability services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination

agency, the supervision officer, the Kansas department for aging and disability services designated treatment provider and the ~~offender person~~. ~~An offender~~ A person for whom a warrant has been issued by the court alleging a violation of this supervision shall be considered a fugitive from justice if it is found that the warrant cannot be served. If it is found ~~the offender~~ that the person has violated the provisions of this supervision, the court shall determine whether the time from the issuing of the warrant to the date of the court's determination of an alleged violation, or any part of it, shall be counted as time served on supervision. Any violation of the conditions of such supervision may subject such person to revocation of supervision and imprisonment in jail for the remainder of the period of imprisonment, the remainder of the supervision period, or any combination or portion thereof. The term of supervision may be extended at the court's discretion beyond one year, and any violation of the conditions of such extended term of supervision may subject such person to the revocation of supervision and imprisonment in jail of up to the remainder of the original sentence, not the term of the extended supervision.

(4) In addition to the provisions of subsection (b)(1), prior to sentencing for any conviction pursuant to subsection (b)(1)(A) or (b)(1)(B), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person 18 years of age or older convicted of violating this section or an ordinance which prohibits the acts that this section prohibits who had one or more children under the age of 18 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment must be served consecutively to any other minimum mandatory penalty imposed for a violation of this section or an ordinance which prohibits the acts that this section prohibits. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) If a person is charged with a violation of subsection (a)(4) or (a)(5), the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

(e) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessment and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the ~~defendant person~~ by the court.

(f) (1) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(2) The court may, in its discretion, waive any portion of a fine imposed pursuant to this section, except the \$250 required to be remitted to the state treasurer pursuant to subsection (q)(2), upon a showing that the person successfully completed court-ordered education or treatment.

(g) Prior to filing a complaint alleging a violation of this section, a prosecutor shall request and shall receive from the:

(1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(h) The court shall electronically report every conviction of a violation of this section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division including any finding regarding the alcohol concentration in the ~~offender's~~ person's blood or breath. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state.

(i) For the purpose of determining whether a conviction is a first, second, third, fourth or subsequent conviction in sentencing under this section:

(1) Convictions for a violation of this section, or a violation of an ordinance of any city or resolution of any county that prohibits the acts that this section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring on or after July 1, 2001. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense;

(2) any convictions for a violation of the following sections occurring during a person's lifetime shall be taken into account:

(A) Driving a commercial motor vehicle under the influence, K.S.A. 8-2,144, and amendments thereto;

(B) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto;

(C) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or K.S.A. 21-5405(a)(3) or (a)(5), and amendments thereto;

(D) aggravated battery as described in K.S.A. 21-5413(b)(3) or (b)(4), and amendments thereto; and

(E) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes:

(A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging an offense described in subsection (i)(2); and

(B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another jurisdiction that would constitute an offense that is comparable to the offense described in subsection (i)(1) or (i)(2);

(4) multiple convictions of any crime described in subsection (i)(1) or (i)(2) arising from the same arrest shall only be counted as one conviction;

(5) it is irrelevant whether an offense occurred before or after conviction for a previous offense; and

(6) a person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section, and amendments thereto, or an ordinance which prohibits the acts of this section, and amendments thereto, only once during the person's lifetime.

(j) For the purposes of determining whether an offense is comparable, the following shall be considered:

(1) The name of the out-of-jurisdiction offense;

(2) the elements of the out-of-jurisdiction offense; and

(3) whether the out-of-jurisdiction offense prohibits similar conduct to the conduct prohibited by the closest approximate Kansas offense.

(k) Upon conviction of a person of a violation of this section or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, the division, upon receiving a report of conviction, shall suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

(l) (1) Nothing contained in this section shall be construed as preventing any city from enacting ordinances, or any county from adopting resolutions, declaring acts prohibited or made unlawful by this act as unlawful or prohibited in such city or county and prescribing penalties for violation thereof.

(2) The minimum penalty prescribed by any such ordinance or resolution shall not be less than the minimum penalty prescribed by this section for the same violation, and the maximum penalty in any such ordinance or resolution shall not exceed the maximum penalty prescribed for the same violation.

(3) On and after July 1, 2007, and retroactive for ordinance violations committed on or after July 1, 2006, an ordinance may grant to a municipal court jurisdiction over a violation of such ordinance which is concurrent with the jurisdiction of the district court over a violation of this section, notwithstanding that the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony.

(4) Any such ordinance or resolution shall authorize the court to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

(m) (1) Upon the filing of a complaint, citation or notice to appear alleging a person has violated a city ordinance prohibiting the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the:

(A) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(2) If the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony, the city attorney shall refer the violation to the appropriate county or district attorney for prosecution.

(n) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section, or a violation of any ordinance of a city or resolution of any county in this state which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section or by the ordinance. For the purpose of this subsection, entering into a diversion agreement pursuant to K.S.A. 12-4413 et seq. or 22-2906 et seq., and amendments thereto, shall not constitute plea bargaining. This subsection shall not be construed to prohibit an amendment or dismissal of any charge where the admissible evidence is not sufficient to support a conviction beyond a reasonable doubt on such charge.

(o) The alternatives set out in subsection (a) may be pleaded in the alternative, and the state, city or county may, but shall not be required to, elect one or more of such alternatives prior to submission of the case to the fact finder.

(p) As used in this section:

(1) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath;

(2) "imprisonment" includes any restrained environment in which the court and law enforcement agency intend to retain custody and control of a ~~defendant~~ person and such environment has been approved by the board of county commissioners or the governing body of a city; and

(3) "drug" includes toxic vapors as such term is defined in K.S.A. 21-5712, and amendments thereto.

(q) (1) The amount of the increase in fines as specified in this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of remittance of the increase provided in this act, the state treasurer shall deposit the entire amount in the state treasury and the state treasurer shall credit 50% to the community alcoholism and intoxication programs fund and 50% to the department of corrections alcohol and drug abuse treatment fund, which is hereby created in the state treasury.

(2) On and after July 1, 2011, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 75-52,113, and amendments thereto.

Sec. 2. On and after July 1, 2024, K.S.A. 12-4517 is hereby amended to read as follows: 12-4517. (a) (1) Except as provided further, the municipal court judge shall ensure that all persons convicted of violating municipal ordinance provisions that prohibit conduct comparable to a class A or B misdemeanor or assault as defined in K.S.A. ~~2022-Supp.~~ 21-5412(a), and amendments thereto, under a Kansas criminal statute are fingerprinted and processed. The provisions of this section shall not apply to persons convicted of violating municipal ordinance provisions that prohibit the acts prohibited by K.S.A. 8-235 or 40-3104, and amendments thereto.

(2) The municipal court judge shall ensure that all persons arrested or charged with a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-2,144 or 8-1567, and amendments thereto, are fingerprinted and processed at the time of booking or first appearance, whichever occurs first.

(b) The municipal court judge shall order the individual to be fingerprinted at an appropriate location as determined by the municipal court judge. Failure of the person to be fingerprinted after court order issued by the municipal judge shall constitute contempt of court. To reimburse the city or other entity for costs associated with fingerprinting, the municipal court judge may assess reasonable court costs, in addition to other court costs imposed by the state or municipality.";

On page 8, following line 24, by inserting:

"Sec. 5. On and after July 1, 2024, K.S.A. 21-6607 is hereby amended to read as follows: 21-6607. (a) Except as required by subsection (c), nothing in this section shall be construed to limit the authority of the court to impose or modify any general or specific conditions of probation, suspension of sentence or assignment to a community correctional services program. The court services officer or community correctional services officer may recommend, and the court may order, the imposition of any conditions of probation, suspension of sentence or assignment to a community correctional services program. For crimes committed on or after July 1, 1993, in presumptive nonprison cases, the court services officer or community correctional services officer may recommend, and the court may order, the imposition of any conditions of probation or assignment to a community correctional services program. The court may at any time order the modification of such conditions, after notice to the court services officer or community correctional services officer and an opportunity for such officer to be heard thereon. The court shall cause a copy of any such order to be delivered to the court services officer and the probationer or to the community correctional services officer and the community corrections participant, as the case may be. The provisions of K.S.A. 75-5291, and amendments thereto, shall be applicable to any assignment to a community correctional services program pursuant to this section.

(b) The court may impose any conditions of probation, suspension of sentence or assignment to a community correctional services program that the court deems proper, including, but not limited to, requiring that the defendant:

~~(1) Avoid such injurious or vicious habits, as directed by the court, court services officer or community correctional services officer;~~

~~(2) avoid such persons or places of disreputable or harmful character, as directed by the court, court services officer or community correctional services officer;~~

~~(3) report to the court services officer or community correctional services officer as directed;~~

~~(4) permit the court services officer or community correctional services officer to visit the defendant at home or elsewhere;~~

~~(5) work faithfully at suitable employment insofar as possible;~~

~~(6) remain within the state unless the court grants permission to leave;~~

~~(7) pay a fine or costs, applicable to the offense, in one or several sums and in the manner as directed by the court;~~

~~(8) support the defendant's dependents;~~

~~(9) reside in a residential facility located in the community and participate in educational, counseling, work and other correctional or rehabilitative programs;~~

~~(10) perform community or public service work for local governmental agencies, private corporations organized not for profit, or charitable or social service organizations performing services for the community;~~

~~(11) perform services under a system of day fines whereby the defendant is~~

~~required to satisfy fines, costs or reparation or restitution obligations by performing services for a period of days, determined by the court on the basis of ability to pay, standard of living, support obligations and other factors;~~

~~(12) participate in a house arrest program pursuant to K.S.A. 21-6609, and amendments thereto;~~

~~(13) order the defendant to pay the administrative fee authorized by K.S.A. 22-4529, and amendments thereto, unless waived by the court; or~~

~~(14) in felony cases, except for violations of K.S.A. 8-1567, and amendments thereto, be confined in a county jail not to exceed 60 days, which need not be served consecutively~~ Obey all laws and ordinances and report any law enforcement contact to the defendant's supervision officer within 24 hours after such contact;

(2) not engage in physical violence or threats of violence of any kind and, if the defendant is being supervised for conviction of a felony, not purchase or possess a dangerous weapon, including a firearm, while on supervision;

(3) report to the defendant's supervision officer as directed and be truthful in all matters;

(4) remain within the state of Kansas or other specified areas as defined by the defendant's supervision officer;

(5) reside at the defendant's approved residence unless the defendant receives permission from the defendant's supervision officer to relocate and notify the defendant's supervision officer within 24 hours after any emergency changes in residence or contact information;

(6) not possess, use or distribute any controlled substances except those prescribed by a licensed medical professional;

(7) not possess or consume any form of alcohol or intoxicating substance or enter any establishment where alcohol is sold or consumed as the primary business;

(8) submit to any form of alcohol or substance use testing directed by the defendant's supervision officer and not alter or tamper with the specimen or test;

(9) participate in assessment, treatment, programming and other directives of the court or the defendant's supervision officer;

(10) be subject to searches of the defendant's person, effects, vehicle, residence and property by a court services officer, community correctional services officer or any other law enforcement officer based on reasonable suspicion that the defendant violated conditions of probation or engaged in criminal activity; or

(11) refrain from contacting victims unless authorized by the court to contact a victim as part of rehabilitative or therapeutic purposes.

(c) In addition to any ~~other~~ conditions of probation, suspension of sentence or assignment to a community correctional services program ordered pursuant to subsection (b), the court shall order the defendant to ~~comply with each of the following conditions:~~

(1) ~~The defendant shall obey all laws of the United States, the state of Kansas and any other jurisdiction to the laws of which the defendant may be subject;~~

(2) ~~Make reparation or restitution to the aggrieved party for the damage or loss caused by the defendant's crime in accordance with K.S.A. 21-6604(b), and amendments thereto;~~

~~(3)~~ (2) (A) pay a correctional supervision fee of \$60 if the person was convicted of a misdemeanor or a fee of \$120 if the person was convicted of a felony. In any case the

amount of the correctional supervision fee specified by this paragraph may be reduced or waived by the judge if the person is unable to pay that amount;

(B) the correctional supervision fee imposed by this paragraph shall be charged and collected by the district court. The clerk of the district court shall remit all revenues received under this paragraph from correctional supervision fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund, a sum equal to 41.67% of such remittance, and to the correctional supervision fund, a sum equal to 58.33% of such remittance;

(C) this paragraph shall apply to persons placed on felony or misdemeanor probation or released on misdemeanor parole to reside in Kansas and supervised by Kansas court services officers under the interstate compact for offender supervision; and

(D) this paragraph shall not apply to persons placed on probation or released on parole to reside in Kansas under the uniform act for out-of-state parolee supervision; and

~~(4)~~(3) reimburse the state general fund for all or a part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the defendant. In determining the amount and method of payment of such sum, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of such sum will impose. A defendant who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court which sentenced the defendant to waive payment of such sum or of any unpaid portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the defendant or the defendant's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment. The amount of attorney fees to be included in the court order for reimbursement shall be the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less;

~~(5) be subject to searches of the defendant's person, effects, vehicle, residence and property by a court services officer, a community correctional services officer and any other law enforcement officer based on reasonable suspicion of the defendant violating conditions of probation or criminal activity; and~~

~~(6) be subject to random, but reasonable, tests for drug and alcohol consumption as ordered by a court services officer or community correctional services officer.~~

(d) The office of judicial administration and the department of corrections shall collaborate to develop documentation related to conditions of supervision.

(e) Any law enforcement officer conducting who conducts a search pursuant to subsection (e)(5) (b)(10) shall submit a written report to the appropriate court services officer or community correctional services officer no not later than the close of the next business day business the next day after such search is conducted. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

~~(e)~~(f) There is hereby established in the state treasury the correctional supervision

fund. All moneys credited to the correctional supervision fund shall be used for: (1) The implementation of and training for use of a statewide, mandatory, standardized risk assessment tool or instrument as specified by the Kansas sentencing commission, pursuant to K.S.A. 75-5291, and amendments thereto; (2) the implementation of and training for use of a statewide, mandatory, standardized risk assessment tool or instrument for juveniles adjudicated to be juvenile offenders; and (3) evidence-based adult and juvenile offender supervision programs by judicial branch personnel. If all expenditures for the program have been paid and moneys remain in the correctional supervision fund for a fiscal year, remaining moneys may be expended from the correctional supervision fund to support adult and juvenile offender supervision by court services officers. All expenditures from the correctional supervision fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.";

On page 13, following line 25, by inserting:

"Sec. 8. On and after July 1, 2024, K.S.A. 22-2907 is hereby amended to read as follows: 22-2907. (a) After a complaint has been filed charging a defendant with commission of a crime and prior to conviction thereof, and after the district attorney has considered the factors listed in K.S.A. 22-2908, if it appears to the district attorney that diversion of the defendant would be in the interests of justice and of benefit to the defendant and the community, the district attorney may propose a diversion agreement to the defendant. The terms of each diversion agreement shall be established by the district attorney in accordance with K.S.A. 22-2909, and amendments thereto.

(b) Each district attorney shall adopt written policies and guidelines for the implementation of a diversion program in accordance with this act. Such policies and guidelines shall provide for a diversion conference and other procedures in those cases where the district attorney elects to offer diversion in lieu of further criminal proceedings on the complaint.

(c) Each defendant shall be informed in writing of the diversion program and the policies and guidelines adopted by the district attorney. The district attorney may require any defendant requesting diversion to provide information regarding prior criminal charges, education, work experience and training, family, residence in the community, medical history, including any psychiatric or psychological treatment or counseling, and other information relating to the diversion program. In all cases, the defendant shall be present and shall have the right to be represented by counsel at the diversion conference with the district attorney.

(d) (1) A county or district attorney may enter into a memorandum of understanding with the chief judge of a judicial district or community correctional services to assist with supervision and monitoring of persons who have entered into a diversion agreement. The county or district attorney shall retain authority over whether a defendant is given the option to enter into a diversion agreement and whether the defendant's diversion agreement will be revoked.

(2) A memorandum of understanding shall include provisions related to:

- (A) Determining the level of supervision needed for a defendant;
- (B) use of a criminal risk-need assessment;
- (C) payment of costs for supervision; and
- (D) waiver of the supervision fee established in this subsection.

(3) (A) When a person who has entered into a diversion agreement is supervised pursuant to a memorandum of understanding under this subsection, the person shall pay a supervision fee in the amount established in K.S.A. 21-6607~~(e)(3)(A)~~ (c)(2)(A) for misdemeanor or felony post-conviction supervision, as appropriate for the crime charged.

(B) The diversion supervision fee imposed by this paragraph shall be charged and collected by the county or district attorney.

(C) All moneys collected pursuant to this section shall be paid into the county general fund and used to fund the costs of diversion supervision performed pursuant to a memorandum of understanding under this subsection.

(D) The diversion supervision fee specified by this paragraph may be reduced or waived by the county or district attorney in accordance with a memorandum of understanding under this subsection.

(4) When a person who has entered into a diversion agreement is supervised pursuant to a memorandum of understanding under this subsection, the person shall pay the actual costs of any urinalysis testing required as a term of supervision. Payments for urinalysis testing shall be remitted to the county treasurer for deposit in the county general fund. The costs of urinalysis testing may be reduced or waived by the county or district attorney.

(5) The office of judicial administration may develop guidelines regarding the content of a memorandum of understanding between a county or district attorney and the chief judge of a judicial district and the administration of a supervision program operating pursuant to such memorandum of understanding.

Sec. 9. On and after July 1, 2024, K.S.A. 22-3717 is hereby amended to read as follows: 22-3717. (a) Except as otherwise provided by this section; K.S.A. 1993 Supp. 21-4628, prior to its repeal; K.S.A. 21-4624, 21-4635 through 21-4638 and 21-4642, prior to their repeal; K.S.A. 21-6617, 21-6620, 21-6623, 21-6624, 21-6625 and 21-6626, and amendments thereto; and K.S.A. 8-1567, and amendments thereto; an inmate, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 21-6707, and amendments thereto, shall be eligible for parole after serving the entire minimum sentence imposed by the court, less good time credits.

(b) (1) An inmate sentenced to imprisonment for life without the possibility of parole pursuant to K.S.A. 21-6617, and amendments thereto, shall not be eligible for parole.

(2) Except as provided by K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for the crime of: (A) Capital murder committed on or after July 1, 1994, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; (B) murder in the first degree based upon a finding of premeditated murder committed on or after July 1, 1994, but prior to July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; and (C) murder in the first degree as described in K.S.A. 21-5402(a)(2), and amendments thereto, committed on or after July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits.

(3) Except as provided by subsections (b)(1), (b)(2) and (b)(5), K.S.A. 1993 Supp. 21-4628, prior to its repeal, K.S.A. 21-4635 through 21-4638, prior to their repeal, and

K.S.A. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1993, but prior to July 1, 1999, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits and an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1999, shall be eligible for parole after serving 20 years of confinement without deduction of any good time credits.

(4) Except as provided by K.S.A. 1993 Supp. 21-4628, prior to its repeal, an inmate sentenced for a class A felony committed before July 1, 1993, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 21-6707, and amendments thereto, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits.

(5) An inmate sentenced to imprisonment for a violation of K.S.A. 21-3402(a), prior to its repeal, committed on or after July 1, 1996, but prior to July 1, 1999, shall be eligible for parole after serving 10 years of confinement without deduction of any good time credits.

(6) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 21-6627, and amendments thereto, committed on or after July 1, 2006, shall be eligible for parole after serving the mandatory term of imprisonment without deduction of any good time credits.

(c) (1) Except as provided in subsection (e), if an inmate is sentenced to imprisonment for more than one crime and the sentences run consecutively, the inmate shall be eligible for parole after serving the total of:

(A) The aggregate minimum sentences, as determined pursuant to K.S.A. 21-4608, prior to its repeal, or K.S.A. 21-6606, and amendments thereto, less good time credits for those crimes which are not class A felonies; and

(B) an additional 15 years, without deduction of good time credits, for each crime which is a class A felony.

(2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the inmate shall be eligible for parole after serving the mandatory term of imprisonment.

(d) (1) Persons sentenced for crimes, other than off-grid crimes, committed on or after July 1, 1993, or persons subject to subparagraph (G), will not be eligible for parole, but will be released to a mandatory period of postrelease supervision upon completion of the prison portion of their sentence as follows:

(A) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 1 through 4 crimes, drug severity levels 1 and 2 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity levels 1, 2 and 3 crimes committed on or after July 1, 2012, must serve 36 months on postrelease supervision.

(B) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 5 and 6 crimes, drug severity level 3 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 4 crimes committed on or after July 1, 2012, must serve 24 months on postrelease supervision.

(C) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 7 through 10 crimes, drug severity level 4 crimes committed on

or after July 1, 1993, but prior to July 1, 2012, and drug severity level 5 crimes committed on or after July 1, 2012, must serve 12 months on postrelease supervision.

(D) Persons sentenced to a term of imprisonment that includes a sentence for a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, committed on or after July 1, 1993, but prior to July 1, 2006, a sexually motivated crime in which the offender has been ordered to register pursuant to K.S.A. 22-3717(d)(1)(D) (vii), and amendments thereto, electronic solicitation, K.S.A. 21-3523, prior to its repeal, or K.S.A. 21-5509, and amendments thereto, or unlawful sexual relations, K.S.A. 21-3520, prior to its repeal, or K.S.A. 21-5512, and amendments thereto, shall serve the period of postrelease supervision as provided in subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C), plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 21-6821, and amendments thereto, on postrelease supervision.

(i) If the sentencing judge finds substantial and compelling reasons to impose a departure based upon a finding that the current crime of conviction was sexually motivated, departure may be imposed to extend the postrelease supervision to a period of up to 60 months.

(ii) If the sentencing judge departs from the presumptive postrelease supervision period, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. Departures in this section are subject to appeal pursuant to K.S.A. 21-4721, prior to its repeal, or K.S.A. 21-6820, and amendments thereto.

(iii) In determining whether substantial and compelling reasons exist, the court shall consider:

- (a) Written briefs or oral arguments submitted by either the defendant or the state;
- (b) any evidence received during the proceeding;
- (c) the presentence report, the victim's impact statement and any psychological evaluation as ordered by the court pursuant to K.S.A. 21-4714(e), prior to its repeal, or K.S.A. 21-6813(e), and amendments thereto; and
- (d) any other evidence the court finds trustworthy and reliable.

(iv) The sentencing judge may order that a psychological evaluation be prepared and the recommended programming be completed by the offender. The department of corrections or the prisoner review board shall ensure that court ordered sex offender treatment be carried out.

(v) In carrying out the provisions of subsection (d)(1)(D), the court shall refer to K.S.A. 21-4718, prior to its repeal, or K.S.A. 21-6817, and amendments thereto.

(vi) Upon petition and payment of any restitution ordered pursuant to K.S.A. 21-6604, and amendments thereto, the prisoner review board may provide for early discharge from the postrelease supervision period imposed pursuant to subsection (d)(1)(D)(i) upon completion of court ordered programs and completion of the presumptive postrelease supervision period, as determined by the crime of conviction, pursuant to subsection (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from postrelease supervision is at the discretion of the board.

(vii) Persons convicted of crimes deemed sexually violent or sexually motivated shall be registered according to the offender registration act, K.S.A. 22-4901 through 22-4910, and amendments thereto.

(viii) Persons convicted of K.S.A. 21-3510 or 21-3511, prior to their repeal, or

K.S.A. 21-5508, and amendments thereto, shall be required to participate in a treatment program for sex offenders during the postrelease supervision period.

(E) The period of postrelease supervision provided in subparagraphs (A) and (B) may be reduced by up to 12 months and the period of postrelease supervision provided in subparagraph (C) may be reduced by up to six months based on the offender's compliance with conditions of supervision and overall performance while on postrelease supervision. The reduction in the supervision period shall be on an earned basis pursuant to rules and regulations adopted by the secretary of corrections.

(F) In cases where sentences for crimes from more than one severity level have been imposed, the offender shall serve the longest period of postrelease supervision as provided by this section available for any crime upon which sentence was imposed irrespective of the severity level of the crime. Supervision periods will not aggregate.

(G) (i) Except as provided in subsection ~~(u)~~(v), persons sentenced to imprisonment for a sexually violent crime committed on or after July 1, 2006, when the offender was 18 years of age or older, and who are released from prison, shall be released to a mandatory period of postrelease supervision for the duration of the person's natural life.

(ii) Persons sentenced to imprisonment for a sexually violent crime committed on or after the effective date of this act, when the offender was under 18 years of age, and who are released from prison, shall be released to a mandatory period of postrelease supervision for 60 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 21-6821, and amendments thereto.

(2) Persons serving a period of postrelease supervision pursuant to subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C) may petition the prisoner review board for early discharge. Upon payment of restitution, the prisoner review board may provide for early discharge.

(3) Persons serving a period of incarceration for a supervision violation shall not have the period of postrelease supervision modified until such person is released and returned to postrelease supervision.

(4) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction is revoked pursuant to K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to K.S.A. 22-3716(c), and amendments thereto, shall serve a period of postrelease supervision upon the completion of the underlying prison term.

(5) As used in this subsection, "sexually violent crime" means:

(A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 21-5503, and amendments thereto;

(B) indecent liberties with a child, K.S.A. 21-3503, prior to its repeal, or K.S.A. 21-5506(a), and amendments thereto;

(C) aggravated indecent liberties with a child, K.S.A. 21-3504, prior to its repeal, or K.S.A. 21-5506(b), and amendments thereto;

(D) criminal sodomy, K.S.A. 21-3505(a)(2) and (a)(3), prior to its repeal, or K.S.A. 21-5504(a)(3) and (a)(4), and amendments thereto;

(E) aggravated criminal sodomy, K.S.A. 21-3506, prior to its repeal, or K.S.A. 21-5504(b), and amendments thereto;

(F) indecent solicitation of a child, K.S.A. 21-3510, prior to its repeal, or K.S.A.

21-5508(a), and amendments thereto;

(G) aggravated indecent solicitation of a child, K.S.A. 21-3511, prior to its repeal, or K.S.A. 21-5508(b), and amendments thereto;

(H) sexual exploitation of a child, K.S.A. 21-3516, prior to its repeal, or K.S.A. 21-5510, and amendments thereto;

(I) aggravated sexual battery, K.S.A. 21-3518, prior to its repeal, or K.S.A. 21-5505(b), and amendments thereto;

(J) aggravated incest, K.S.A. 21-3603, prior to its repeal, or K.S.A. 21-5604(b), and amendments thereto;

(K) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(L) internet trading in child pornography, as defined in K.S.A. 21-5514(a), and amendments thereto;

(M) aggravated internet trading in child pornography, as defined in K.S.A. 21-5514(b), and amendments thereto;

(N) commercial sexual exploitation of a child, as defined in K.S.A. 21-6422, and amendments thereto; or

(O) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section.

(6) As used in this subsection, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) If an inmate is sentenced to imprisonment for a crime committed while on parole or conditional release, the inmate shall be eligible for parole as provided by subsection (c), except that the prisoner review board may postpone the inmate's parole eligibility date by assessing a penalty not exceeding the period of time which could have been assessed if the inmate's parole or conditional release had been violated for reasons other than conviction of a crime.

(f) If a person is sentenced to prison for a crime committed on or after July 1, 1993, while on probation, parole, conditional release or in a community corrections program, for a crime committed prior to July 1, 1993, and the person is not eligible for retroactive application of the sentencing guidelines and amendments thereto pursuant to K.S.A. 21-4724, prior to its repeal, the new sentence shall not be aggregated with the old sentence, but shall begin when the person is paroled or reaches the conditional release date on the old sentence. If the offender was past the offender's conditional release date at the time the new offense was committed, the new sentence shall not be aggregated with the old sentence but shall begin when the person is ordered released by the prisoner review board or reaches the maximum sentence expiration date on the old sentence, whichever is earlier. The new sentence shall then be served as otherwise provided by law. The period of postrelease supervision shall be based on the new sentence, except that those offenders whose old sentence is a term of imprisonment for life, imposed pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, or an indeterminate sentence with a maximum term of life imprisonment, for which there is no conditional release or maximum sentence expiration date, shall remain on postrelease supervision for life or until discharged from supervision by the prisoner review board.

(g) Subject to the provisions of this section, the prisoner review board may release on parole those persons confined in institutions who are eligible for parole when: (1) The board believes that the inmate should be released for hospitalization, deportation or to answer the warrant or other process of a court and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate; or (2) the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement, and the board believes that the inmate is able and willing to fulfill the obligations of a law abiding citizen and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate. Parole shall not be granted as an award of clemency and shall not be considered a reduction of sentence or a pardon.

(h) The prisoner review board shall hold a parole hearing at least the month prior to the month an inmate will be eligible for parole under subsections (a), (b) and (c). At least one month preceding the parole hearing, the county or district attorney of the county where the inmate was convicted shall give written notice of the time and place of the public comment sessions for the inmate to any victim of the inmate's crime who is alive and whose address is known to the county or district attorney or, if the victim is deceased, to the victim's family if the family's address is known to the county or district attorney. Except as otherwise provided, failure to notify pursuant to this section shall not be a reason to postpone a parole hearing. In the case of any inmate convicted of an off-grid felony or a class A felony, the secretary of corrections shall give written notice of the time and place of the public comment session for such inmate at least one month preceding the public comment session to any victim of such inmate's crime or the victim's family pursuant to K.S.A. 74-7338, and amendments thereto. If notification is not given to such victim or such victim's family in the case of any inmate convicted of an off-grid felony or a class A felony, the board shall postpone a decision on parole of the inmate to a time at least 30 days after notification is given as provided in this section. Nothing in this section shall create a cause of action against the state or an employee of the state acting within the scope of the employee's employment as a result of the failure to notify pursuant to this section. If granted parole, the inmate may be released on parole on the date specified by the board, but not earlier than the date the inmate is eligible for parole under subsections (a), (b) and (c). At each parole hearing and, if parole is not granted, at such intervals thereafter as it determines appropriate, the board shall consider: (1) Whether the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement; and (2) all pertinent information regarding such inmate, including, but not limited to, the circumstances of the offense of the inmate; the presentence report; the previous social history and criminal record of the inmate; the conduct, employment, and attitude of the inmate in prison; the reports of such physical and mental examinations as have been made, including, but not limited to, risk factors revealed by any risk assessment of the inmate; comments of the victim and the victim's family including in person comments, contemporaneous comments and prerecorded comments made by any technological means; comments of the public; official comments; any recommendation by the staff of the facility where the inmate is incarcerated; proportionality of the time the inmate has served to the sentence a person

would receive under the Kansas sentencing guidelines for the conduct that resulted in the inmate's incarceration; and capacity of state correctional institutions.

(i) In those cases involving inmates sentenced for a crime committed after July 1, 1993, the prisoner review board will review the inmate's proposed release plan. The board may schedule a hearing if they desire. The board may impose any condition they deem necessary to insure public safety, aid in the reintegration of the inmate into the community, or items not completed under the agreement entered into under K.S.A. 75-5210a, and amendments thereto. The board may not advance or delay an inmate's release date. Every inmate while on postrelease supervision shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary.

(j) (1) Before ordering the parole of any inmate, the prisoner review board shall have the inmate appear either in person or via a video conferencing format and shall interview the inmate unless impractical because of the inmate's physical or mental condition or absence from the institution. Every inmate while on parole shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary. Whenever the board formally considers placing an inmate on parole and no agreement has been entered into with the inmate under K.S.A. 75-5210a, and amendments thereto, the board shall notify the inmate in writing of the reasons for not granting parole. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the inmate has not satisfactorily completed the programs specified in the agreement, or any revision of such agreement, the board shall notify the inmate in writing of the specific programs the inmate must satisfactorily complete before parole will be granted. If parole is not granted only because of a failure to satisfactorily complete such programs, the board shall grant parole upon the secretary's certification that the inmate has successfully completed such programs. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by such agreement, or any revision thereof, the board shall not require further program participation. However, if the board determines that other pertinent information regarding the inmate warrants the inmate's not being released on parole, the board shall state in writing the reasons for not granting the parole. If parole is denied for an inmate sentenced for a crime other than a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than one year after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next three years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to three years but any such deferral by the board shall require the board to state the basis for its findings. If parole is denied for an inmate sentenced for a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than three years after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next 10 years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to 10 years, but any such deferral shall require the board to state the basis for its findings.

(2) Inmates sentenced for a class A or class B felony who have not had a board hearing in the five years prior to July 1, 2010, shall have such inmates' cases reviewed by the board on or before July 1, 2012. Such review shall begin with the inmates with

the oldest deferral date and progress to the most recent. Such review shall be done utilizing existing resources unless the board determines that such resources are insufficient. If the board determines that such resources are insufficient, then the provisions of this paragraph are subject to appropriations therefor.

(k) (1) Parolees and persons on postrelease supervision shall be assigned, upon release, to the appropriate level of supervision pursuant to the criteria established by the secretary of corrections.

(2) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment.

(3) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity. Any law enforcement officer who conducts such a search shall submit a written report to the appropriate parole officer no later than the close of the next business day after such search. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

(l) The prisoner review board shall promulgate rules and regulations in accordance with K.S.A. 77-415 et seq., and amendments thereto, not inconsistent with the law and as it may deem proper or necessary, with respect to the conduct of parole hearings, postrelease supervision reviews, revocation hearings, orders of restitution, reimbursement of expenditures by the state board of indigents' defense services and other conditions to be imposed upon parolees or releasees. Whenever an order for parole or postrelease supervision is issued it shall recite the conditions thereof.

(m) Whenever the prisoner review board orders the parole of an inmate or establishes conditions for an inmate placed on postrelease supervision, the board shall require that the inmate:

~~(1) Unless it finds compelling circumstances that would render a plan of payment unworkable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision pay any transportation expenses resulting from returning the parolee or the person on postrelease supervision to this state to answer criminal charges or a warrant for a violation of a condition of probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision;~~

~~(2) to the extent practicable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision make progress towards or successfully complete the equivalent of a secondary education if the inmate has not previously completed such educational equivalent and is capable of doing so;~~

~~(3) may order that the parolee or person on postrelease supervision perform community or public service work for local governmental agencies, private corporations organized not for profit or charitable or social service organizations performing services for the community; Obey all laws and ordinances and report any law enforcement~~

contact to the inmate's supervision officer within 24 hours after such contact;

(2) not engage in physical violence or threats of violence of any kind and, if the inmate is being supervised for conviction of a felony, not purchase or possess a dangerous weapon, including a firearm, while on supervision;

(3) report to the inmate's supervision officer as directed and be truthful in all matters;

(4) remain within the state of Kansas or other specified areas as defined by the defendant's supervision officer;

(5) reside at the inmate's approved residence unless the defendant receives permission from the inmate's supervision officer to relocate and notify the inmate's supervision officer within 24 hours after any emergency changes in residence or contact information;

(6) not possess, use or distribute any controlled substances except those prescribed by a licensed medical professional;

(7) not possess or consume any form of alcohol or intoxicating substance or enter any establishment where alcohol is sold or consumed as the primary business;

(8) submit to any form of alcohol or substance use testing directed by the inmate's supervision officer and not alter or tamper with the specimen or test;

(9) participate in assessment, treatment, programming and other directives of the court or the inmate's supervision officer;

(10) submit to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause, except that nothing in this paragraph shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment;

(11) submit to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity;

(12) refrain from contacting victims unless authorized by the board to contact a victim as part of rehabilitative or therapeutic purposes;

~~(4)(13) may order the parolee or person on postrelease supervision to pay the administrative fee imposed pursuant to K.S.A. 22-4529, and amendments thereto, unless the board finds compelling circumstances that would render payment unworkable; and~~

~~(5)(14) unless the board finds compelling circumstances that would render a plan of payment unworkable, shall order that the parolee or person on postrelease supervision reimburse the state for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the person. In determining the amount and method of payment of such sum, the prisoner review board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose. Such amount shall not exceed the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less, minus any previous payments for such services;~~

~~(6)~~ shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment; and

~~(7)~~ shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity.

~~(n)~~ Any law enforcement officer who conducts a search pursuant to subsection (m) (11) shall submit a written report to the inmate's parole officer not later than the close of business the next day after such search is conducted. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

~~(o)~~ If the court that sentenced an inmate specified at the time of sentencing the amount and the recipient of any restitution ordered as a condition of parole or postrelease supervision, the prisoner review board shall order as a condition of parole or postrelease supervision that the inmate pay restitution in the amount and manner provided in the journal entry unless the board finds compelling circumstances that would render a plan of restitution unworkable.

~~(p)~~ Whenever the prisoner review board grants the parole of an inmate, the board, within 14 days of the date of the decision to grant parole, shall give written notice of the decision to the county or district attorney of the county where the inmate was sentenced.

~~(q)~~ When an inmate is to be released on postrelease supervision, the secretary, within 30 days prior to release, shall provide the county or district attorney of the county where the inmate was sentenced written notice of the release date.

~~(r)~~ Inmates shall be released on postrelease supervision upon the termination of the prison portion of their sentence. Time served while on postrelease supervision will vest.

~~(s)~~ An inmate who is allocated regular good time credits as provided in K.S.A. 22-3725, and amendments thereto, may receive meritorious good time credits in increments of not more than 90 days per meritorious act. These credits may be awarded by the secretary of corrections when an inmate has acted in a heroic or outstanding manner in coming to the assistance of another person in a life-threatening situation, preventing injury or death to a person, preventing the destruction of property or taking actions that result in a financial savings to the state.

~~(t)~~ The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C) and (d)(1)(E) shall be applied retroactively as provided in subsection ~~(t)~~ (u).

~~(u)~~ For offenders sentenced prior to July 1, 2014, who are eligible for modification of their postrelease supervision obligation, the department of corrections shall modify the period of postrelease supervision as provided for by this section:

(1) On or before September 1, 2013, for offenders convicted of:

(A) Severity levels 9 and 10 crimes on the sentencing guidelines grid for nondrug

crimes;

(B) severity level 4 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) severity level 5 crimes on the sentencing guidelines grid for drug crimes committed on and after July 1, 2012;

(2) on or before November 1, 2013, for offenders convicted of:

(A) Severity levels 6, 7 and 8 crimes on the sentencing guidelines grid for nondrug crimes;

(B) level 3 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) level 4 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012; and

(3) on or before January 1, 2014, for offenders convicted of:

(A) Severity levels 1, 2, 3, 4 and 5 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity levels 1 and 2 crimes on the sentencing guidelines grid for drug crimes committed at any time; and

(C) severity level 3 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012.

~~(u)~~(v) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, shall be placed on parole for life and shall not be discharged from supervision by the prisoner review board. When the board orders the parole of an inmate pursuant to this subsection, the board shall order as a condition of parole that the inmate be electronically monitored for the duration of the inmate's natural life.

~~(w)~~(w) Whenever the prisoner review board orders a person to be electronically monitored pursuant to this section, or the court orders a person to be electronically monitored pursuant to K.S.A. 21-6604(r), and amendments thereto, the board shall order the person to reimburse the state for all or part of the cost of such monitoring. In determining the amount and method of payment of such sum, the board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose.

~~(x)~~(x) (1) On and after July 1, 2012, for any inmate who is a sex offender, as defined in K.S.A. 22-4902, and amendments thereto, whenever the prisoner review board orders the parole of such inmate or establishes conditions for such inmate placed on postrelease supervision, such inmate shall agree in writing to not possess pornographic materials.

(A) As used in this subsection, "pornographic materials" means any obscene material or performance depicting sexual conduct, sexual contact or a sexual performance; and any visual depiction of sexually explicit conduct.

(B) As used in this subsection, all other terms have the meanings provided by K.S.A. 21-5510, and amendments thereto.

(2) The provisions of this subsection shall be applied retroactively to every sex offender, as defined in K.S.A. 22-4902, and amendments thereto, who is on parole or postrelease supervision on July 1, 2012. The prisoner review board shall obtain the written agreement required by this subsection from such offenders as soon as practicable.";

Also on page 13, in line 27, after "K.S.A." by inserting "8-1567, 12-4517,"; in line 28, by striking "and" and inserting ", 21-6607,"; also in line 28, after "21-6805" by inserting ", 22-2907 and 22-3717";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all after "to"; in line 3, by striking all before the semicolon and inserting "driving under the influence; requiring certain persons on a third or subsequent conviction thereof to participate in a multidisciplinary model of services for substance use disorders; relating to municipal courts; removing the requirement to collect fingerprints from persons convicted of violating certain municipal ordinance provisions related to driving without a valid driver's license or motor vehicle liability insurance coverage"; in line 18, after the semicolon by inserting "relating to supervision of offenders; updating the terms of supervision for offenders on probation and postrelease supervision,"; also in line 18, after "K.S.A." by inserting "8-1567, 12-4517,"; in line 19, after "21-6101," by inserting "21-6607,"; also in line 19, by striking the first "and" and inserting a comma; also in line 19, after "21-6805" by inserting ", 22-2907 and 22-3717";

And your committee on conference recommends the adoption of this report.

STEPHEN OWENS

ERIC SMITH

JOHN CARMICHAEL

Conferees on part of House

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 414**.

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Blasi, Claeys, O'Shea, Ware.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 419** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 419, as follows:

On page 1, by striking all in lines 7 through 34; following line 34 by inserting:

"Section 1. (a) A law enforcement officer shall not take a person into custody based solely on the commission of an offense described in subsection (b) if the law

enforcement officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that the person:

(1) (A) Initiated contact with a law enforcement officer, law enforcement agency or emergency medical services and requested medical assistance on the person's own behalf because the person reasonably believed they needed medical assistance as a result of the use of a controlled substance; and

(B) cooperated with law enforcement officers and emergency medical services personnel in providing such medical assistance;

(2) (A) was a person who rendered aid to another person who reasonably appeared to need medical assistance as a result of the use of a controlled substance or initiated contact with a law enforcement officer, law enforcement agency or emergency medical services and requested medical assistance for another person who reasonably appeared to need medical assistance as a result of the use of a controlled substance;

(B) provided such person's full name and any other relevant information that is necessary to provide the medical assistance described in paragraph (2)(A) as requested by law enforcement or emergency medical services;

(C) remained at the scene with the person who reasonably appeared to need medical assistance until emergency medical services personnel and law enforcement officers arrived; and

(D) cooperated with emergency medical services personnel and law enforcement officers in providing such medical assistance; or

(3) (A) was the person who reasonably appeared to need medical assistance as a result of the use of a controlled substance as described in subsection (a)(2)(A); and

(B) cooperated with emergency medical services personnel and law enforcement officers in providing such medical assistance.

(b) (1) Except as provided in paragraph (2), each person who meets the criteria in subsection (a) is immune from criminal prosecution for a violation of K.S.A. 21-5706 or 21-5709(b)(2), and amendments thereto, and any city ordinance or county resolution prohibiting the acts prohibited by K.S.A. 21-5706 or 21-5709(b)(2), and amendments thereto.

(2) No person is immune from criminal prosecution as provided in paragraph (1) if the quantity of controlled substances found at the scene of the encounter with law enforcement would be sufficient to create a rebuttable presumption of an intent to distribute as described in K.S.A. 21-5705(e), and amendments thereto.

(c) The provisions of this section shall not apply to a person seeking medical assistance during the course of the execution of an arrest warrant or search warrant or a lawful search.

(d) Nothing in this section shall be construed to preclude a person who is immune from criminal prosecution pursuant to this section from being prosecuted based on evidence obtained from an independent source.

(e) A person shall not be allowed to initiate or maintain an action against a law enforcement officer, or the officer's employer, based on the officer's compliance or failure to comply with this section. Except in cases of reckless or intentional misconduct, a law enforcement officer shall be immune from liability for arresting a person who is later determined to be immune from prosecution pursuant to this section.

(f) As used in this section:

(1) "Controlled substance" means the same as defined in K.S.A. 21-5701, and

amendments thereto; and

(2) "law enforcement officer" means the same as defined in K.S.A. 21-5111, and amendments thereto.";

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "crimes, punishment and criminal procedure; relating to controlled substances; providing immunity from prosecution for certain drug crimes when persons seek or provide medical assistance related to the use of a controlled substance";

And your committee on conference recommends the adoption of this report.

STEPHEN OWENS

ERIC SMITH

JOHN CARMICHAEL

Conferees on part of House

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **H Sub SB 419**.

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Blasi, Claeys, O'Shea, Ware.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 420** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 420, as follows:

On page 1, by striking all in lines 9 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 27;

On page 4, in line 2, by striking "(1) Except as provided in paragraph (2),"; in line 7, after "adult" by inserting "unless the juvenile meets the appropriate classification as defined by policies and procedures adopted by the department. The secretary of corrections is authorized to establish a work release program or an educational release program for juveniles. If the secretary or the secretary's designee finds that a juvenile meets the criteria for such release programs and is capable of receiving substantial benefit from educational or vocational programs that are not available within the facility, the juvenile may attend such release programs outside of the facility. The

secretary shall develop policies and procedures to ensure adequate oversight, supervision and accountability of the juvenile, including communication with community providers related to the juvenile"; by striking all in lines 8 through 15; in line 39, by striking "and K.S.A. 2023 Supp. 38-2391 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in line 2; in line 5, by striking all after "75-7062"; in line 6, by striking all before "and"; also in line 6, by striking "sections" and inserting "section";

And your committee on conference recommends the adoption of this report.

STEPHEN OWENS

ERIC SMITH

JOHN CARMICHAEL

Conferees on part of House

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **H Sub SB 420**.

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Blasi, Claeys, O'Shea, Ware.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2784** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 10, by inserting:

"New Section 1. (a) The state fire marshal and any of the marshal's representatives shall not wear or operate a body camera or other audio or video recording device during an on-site inspection of a licensed care facility or community-based locations where individuals with intellectual and developmental disabilities receive individually planned habilitation services as provided in K.S.A. 39-1804, and amendments thereto.

(b) As used in this section:

(1) "Body camera" means the same as defined in K.S.A. 45-254, and amendments thereto; and

(2) "licensed care facility" includes a child care facility as defined in K.S.A. 65-503, and amendments thereto, a qualified residential treatment program as defined in K.S.A. 38-2202, and amendments thereto, a psychiatric residential treatment facility as

defined in K.S.A. 39-2002, and amendments thereto, a secure facility as defined in K.S.A. 38-2202, and amendments thereto, a shelter facility as defined in K.S.A. 38-2202, and amendments thereto, a youth residential facility as defined in K.S.A. 38-2202, and amendments thereto, an adult care home as defined in K.S.A. 39-923, and amendments thereto, and a medical care facility as defined in K.S.A. 65-425, and amendments thereto, except that "licensed care facility" includes a hospice that is certified to participate in the medicare program under 42 C.F.R. § 418.1 et seq.;

On page 10, following line 11, by inserting:

"Sec. 4. K.S.A. 39-2004 is hereby amended to read as follows: 39-2004. (a) The secretary may adopt rules and regulations necessary to carry out the provisions of this act. Such rules and regulations may prescribe minimum standards and requirements relating to: The location, building, size of centers, facilities and hospitals; environmental standards; capacity; the individuals allowed; the types of services offered; the records to be kept; medication management; policies and procedures specific to centers, facilities, hospitals and providers; the kind and frequency of reports and inventories to be made; and may generally establish such requirements as may be deemed necessary to protect the health, safety, hygiene, welfare and comfort of the individuals.

(b) The authority granted to the secretary under this act is in addition to other statutory authority the secretary has to require the licensing and operation of centers, facilities, hospitals and providers and is not to be construed to limit any of the powers and duties of the secretary under article 59 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(c) Notwithstanding any other provision of law to the contrary, the secretary may waive a requirement of the rules and regulations adopted under this act if the secretary finds that the waiver of the regulatory requirement is in the public interest and will not detrimentally affect the life, safety, health or welfare of any person receiving care or treatment in a center, facility or hospital licensed under this act or an individual receiving services from a provider licensed under this act.

Sec. 5. K.S.A. 39-2009 is hereby amended to read as follows: 39-2009. (a) As used in this section:

(1) "Applicant" means an individual who applies for employment with a center, facility, hospital or a provider of services or applies to work for an employment agency or as an independent contractor that provides staff to a center, facility, hospital or a provider of services.

(2) "Completion of the sentence" means the last day of the entire term of incarceration imposed by a sentence, including any term that is deferred, suspended or subject to parole, probation, diversion, community corrections, fines, fees, restitution or any other imposed sentencing requirements.

(3) "Department" means the Kansas department for aging and disability services.

(4) "Direct access" means work that involves an actual or reasonable expectation of one-on-one interaction with a consumer or a consumer's property, personally identifiable information, medical records, treatment information or financial information.

(5) "Direct supervision" means that a supervisor is physically present within an immediate distance to a supervisee and is available to provide constant direction, feedback and assistance to a client and the supervisee.

(6) "Employment agency" means an organization or entity that has a contracted relationship with a center, hospital, facility or provider of services to provide staff with direct access to consumers.

(7) "Independent contractor" means an organization, entity, agency or individual that provides contracted workers or services to a center, facility, hospital or provider of services.

(8) "Day service provider" means a provider of day support services for development in self-help, social skills, recreational skills and work skills for adults with intellectual or developmental disabilities that is licensed by the department or a separate and distinct dedicated division of a provider of day support services for development in self-help, social skills, recreational skills and work skills for adults with intellectual or developmental disabilities licensed by the department.

(b) (1) No licensee shall knowingly operate a center, facility, hospital or be a provider of services if any person who works in the center, facility, hospital or for a provider of services has adverse findings on any state or national registry, as defined in rules and regulations adopted by the secretary for aging and disability services, or has been convicted of or has been adjudicated a juvenile offender because of having ~~committing~~ committed an act ~~that which~~, if ~~done~~ committed by an adult, would constitute the commission of capital murder, pursuant to K.S.A. 21-3439, prior to its repeal, or K.S.A. 21-5401, and amendments thereto, first degree murder, pursuant to K.S.A. 21-3401, prior to its repeal, or K.S.A. 21-5402, and amendments thereto, second degree murder, pursuant to K.S.A. 21-3402(a), prior to its repeal, or K.S.A. 21-5403(a), and amendments thereto, voluntary manslaughter, pursuant to K.S.A. 21-3403, prior to its repeal, or K.S.A. 21-5404, and amendments thereto, assisting suicide, pursuant to K.S.A. 21-3406, prior to its repeal, or K.S.A. 21-5407, and amendments thereto, mistreatment of a dependent adult or mistreatment of an elder person, pursuant to K.S.A. 21-3437, prior to its repeal, or K.S.A. 21-5417, and amendments thereto, human trafficking, pursuant to K.S.A. 21-3446, prior to its repeal, or K.S.A. 21-5426(a), and amendments thereto, aggravated human trafficking, pursuant to K.S.A. 21-3447, prior to its repeal, or K.S.A. 21-5426(b), and amendments thereto, rape, pursuant to K.S.A. 21-3502, prior to its repeal, or K.S.A. 21-5503, and amendments thereto, indecent liberties with a child, pursuant to K.S.A. 21-3503, prior to its repeal, or K.S.A. 21-5506(a), and amendments thereto, aggravated indecent liberties with a child, pursuant to K.S.A. 21-3504, prior to its repeal, or K.S.A. 21-5506(b), and amendments thereto, aggravated criminal sodomy, pursuant to K.S.A. 21-3506, prior to its repeal, or K.S.A. 21-5504(b), and amendments thereto, indecent solicitation of a child, pursuant to K.S.A. 21-3510, prior to its repeal, or K.S.A. 21-5508(a), and amendments thereto, aggravated indecent solicitation of a child, pursuant to K.S.A. 21-3511, prior to its repeal, or K.S.A. 21-5508(b), and amendments thereto, sexual exploitation of a child, pursuant to K.S.A. 21-3516, prior to its repeal, or K.S.A. 21-5510, and amendments thereto, sexual battery, pursuant to K.S.A. 21-3517, prior to its repeal, or K.S.A. 21-5505(a), and amendments thereto, aggravated sexual battery, pursuant to K.S.A. 21-3518, prior to its repeal, or K.S.A. 21-5505(b), and amendments thereto, commercial sexual exploitation of a child, pursuant to K.S.A. 21-6422, and amendments thereto, an attempt to commit any of the crimes listed in this paragraph, pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 21-5301, and amendments thereto, a conspiracy to commit any of the crimes listed in this paragraph, pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 21-5302, and

amendments thereto, or criminal solicitation of any of the crimes listed in this paragraph, pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 21-5303, and amendments thereto, or similar statutes of other states or the federal government.

(2) (A) A licensee operating a center, facility or hospital or as a provider of services may employ an applicant who has been convicted of any of the following if six or more years have elapsed since completion of the sentence imposed or the applicant was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; if six or more years have elapsed since a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; or if the applicant has been granted a waiver of such six-year disqualification: A felony conviction for a crime that is described in: ~~(A)(i)~~ Article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, except those crimes listed in paragraph (1); ~~(B)(ii)~~ article 35 or 36 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, prior to their repeal, or article 55 or 56 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 21-6420, and amendments thereto, except those crimes listed in paragraph (1); ~~(C)(iii)~~ K.S.A. 21-3701, prior to its repeal, or K.S.A. 21-5801, and amendments thereto; ~~(D)(iv)~~ an attempt to commit any of the crimes listed in this paragraph pursuant to K.S.A. 21-3301, prior to its repeal, or K.S.A. 21-5301, and amendments thereto; ~~(E)(v)~~ a conspiracy to commit any of the crimes listed in this paragraph pursuant to K.S.A. 21-3302, prior to its repeal, or K.S.A. 21-5302, and amendments thereto; ~~(F)(vi)~~ criminal solicitation of any of the crimes listed in this paragraph pursuant to K.S.A. 21-3303, prior to its repeal, or K.S.A. 21-5303, and amendments thereto; or ~~(G)(vii)~~ similar statutes of other states or the federal government.

(B) An individual who has been disqualified for employment due to conviction or adjudication of an offense listed in this paragraph ~~(2)~~ may apply to the secretary for aging and disability services for a waiver of such disqualification if five years have elapsed since completion of the sentence for such conviction. The secretary shall adopt rules and regulations establishing the waiver process and the criteria to be utilized by the secretary in evaluating any such waiver request.

(3) (A) A licensee operating a center, facility, hospital or as a provider of services may employ an applicant who has been convicted of any of the following if six or more years have elapsed since completion of the sentence imposed or the applicant was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; if six or more years have elapsed since the applicant has been finally discharged from the custody of the ~~commissioner of juvenile justice~~ secretary of corrections or from probation or has been adjudicated a juvenile offender, whichever time is longer; or if the applicant has been granted a waiver of such six-year disqualification:

(i) Interference with custody of a committed person pursuant to K.S.A. 21-3423, prior to its repeal, or K.S.A. 21-5410, and amendments thereto; mistreatment of a confined person pursuant to K.S.A. 21-3425, prior to its repeal, or K.S.A. 21-5416, and amendments thereto; unlawful administration of a substance pursuant to K.S.A. 21-3445, prior to its repeal, or K.S.A. 21-5425, and amendments thereto; violation of a protective order pursuant to K.S.A. 21-3843, prior to its repeal, or K.S.A. 21-5924;

promoting obscenity or promoting obscenity to minors pursuant to K.S.A. 21-4301 or 21-4301a, prior to their repeal, or K.S.A. 21-6401, and amendments thereto; or cruelty to animals pursuant to K.S.A. 21-3727, 21-4310 or 21-4311, prior to their repeal, or K.S.A. 21-6412, and amendments thereto; or

(ii) any felony conviction of: Unlawful manufacture of a controlled substance pursuant to K.S.A. 2010 Supp. 21-36a03, prior to its repeal, or K.S.A. 21-5703, and amendments thereto; unlawful cultivation or distribution of a controlled substance pursuant to K.S.A. 2010 Supp. 21-36a05, prior to its repeal, or K.S.A. 21-5705, and amendments thereto; unlawful manufacture, distribution, cultivation or possession of a controlled substance using a communication facility pursuant to K.S.A. 2010 Supp. 21-36a07, prior to its repeal, or K.S.A. 21-5707, and amendments thereto; unlawful obtainment or sale of a prescription-only drug pursuant to K.S.A. 2010 Supp. 21-36a08, prior to its repeal, or K.S.A. 21-5708, and amendments thereto; unlawful distribution of drug precursors or drug paraphernalia pursuant to K.S.A. 2010 Supp. 21-36a10, prior to its repeal, or K.S.A. 21-5710, and amendments thereto; unlawful distribution or possession of a simulated controlled substance pursuant to K.S.A. 2010 Supp. 21-36a13, prior to its repeal, or K.S.A. 21-5713, and amendments thereto; forgery pursuant to K.S.A. 21-3710, prior to its repeal, or K.S.A. 21-5823, and amendments thereto; criminal use of a financial card pursuant to K.S.A. 21-3729, prior to its repeal, or K.S.A. 21-5828, and amendments thereto; any violation of the Kansas medicaid fraud control act pursuant to K.S.A. 21-3844 et seq., prior to their repeal, or K.S.A. 21-5925 et seq., and amendments thereto; making a false claim, statement or representation to the medicaid program pursuant to K.S.A. 21-3846, prior to its repeal, or K.S.A. 21-5927, and amendments thereto; unlawful acts relating to the medicaid program pursuant to K.S.A. 21-3847, prior to its repeal, or K.S.A. 21-5928, and amendments thereto; obstruction of a medicaid fraud investigation pursuant to K.S.A. 21-3856, prior to its repeal, or K.S.A. 21-5929, and amendments thereto; identity theft or identity fraud pursuant to K.S.A. 2010 Supp. 21-4018, prior to its repeal, or K.S.A. 21-6107, and amendments thereto; or social welfare fraud pursuant to K.S.A. 39-720, and amendments thereto. The provisions of this paragraph shall not apply to any person who is employed by a center, facility, hospital or provider of services on or before July 1, 2018, and is continuously employed by the same center, facility, hospital or provider of services or to any person during or upon successful completion of a diversion agreement.

(B) An individual who has been disqualified for employment due to conviction or adjudication of an offense listed in this paragraph ~~(3)~~ may apply to the secretary for aging and disability services for a waiver of such disqualification if five years have elapsed since completion of the sentence for such conviction or adjudication. The secretary shall adopt rules and regulations establishing the waiver process and criteria to be considered by the secretary in evaluating any such waiver request.

(c) No licensee shall operate a center, facility, hospital or be a provider of services if such ~~person~~ licensee has been found to be an adult with an impairment in need of a guardian or a conservator, or both, as provided in the act for obtaining a guardian or conservator, or both. The provisions of this subsection shall not apply to an individual who, as a minor, was found to be in need of a guardian or conservator for reasons other than impairment.

(d) (1) The Kansas bureau of investigation shall release all records of adult and

juvenile convictions and adjudications and adult and juvenile convictions and adjudications of any other state or country concerning persons working in a center, facility, hospital or for a provider of services to the secretary for aging and disability services. The Kansas bureau of investigation may charge to the Kansas department for aging and disability services a reasonable fee for providing criminal history record information under this subsection.

(2) The department shall require an applicant to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints shall be used to identify the individual and to determine whether the individual has a record of criminal history in this state or other jurisdiction. The department is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The department may use the information obtained from fingerprinting and the criminal history record check for purposes of verifying the identification of the person and for making an official determination of the qualifications and fitness of the person to work in the center, facility, hospital or for a provider of services.

(3) An applicant for employment in ~~an~~ a center, facility, hospital or for a provider of services shall have 20 calendar days after receipt of authorization to submit the applicant's fingerprints through an authorized collection site in order to be eligible for provisional employment or the applicant's application shall be deemed withdrawn.

(4) (A) The current or prospective employer of an applicant shall pay a fee not to exceed \$19 of the total cost for criminal history record information to the department for each applicant submitted.

(B) The prospective employer, employee or independent contractor shall pay the fingerprint collection fee at the time of fingerprinting to the authorized collection site.

(5) If an applicant disputes the contents of a criminal history record check, then the applicant may file an appeal with the Kansas bureau of investigation.

(6) Individuals who have been disqualified for employment by reason of their criminal history records and who have met the requirements of this subsection may apply for a waiver with the department within 30 days of the receipt of the notice of employment prohibition.

(7) The department shall adopt rules and regulations specifying the criteria and procedure for issuing a waiver of the employment prohibition. The secretary shall consider the following criteria when rendering a decision on such a waiver request: Passage of time; extenuating circumstances; demonstration of rehabilitation; and relevancy of the criminal history record information to the position for which the applicant is applying. Any employment prohibition issued shall remain in effect unless or until a waiver is granted.

~~(4)(c)~~ (c) The secretary shall provide each licensee requesting information under this section with a pass or fail determination after review of any criminal history record information in writing and within three working days of receipt of such information from the Kansas bureau of investigation or the federal bureau of investigation.

~~(4)(f)~~ (f) Any licensee or member of the staff who receives information concerning the fitness or unfitness of any person shall keep such information confidential, except that the staff person may disclose such information to the person who is the subject of the request for information. A violation of this subsection shall be an unclassified misdemeanor punishable by a fine of \$100.

~~(f)~~(g) For the purpose of complying with this section, the licensee operating a center, facility, hospital or a provider of services shall request from the Kansas department for aging and disability services an eligibility determination regarding adult and juvenile convictions and adjudications. For the purpose of complying with this section, the licensee operating a center, facility, hospital or a provider of services shall receive from any employment agency or independent contractor that provides employees to work in the center, facility, hospital or for the provider of services written certification that such employees are not prohibited from working in the center, facility, hospital or for the provider of services under this section. For the purpose of complying with this section, a licensee may hire an applicant for provisional employment on a one-time basis of 60 calendar days pending the results from the Kansas department for aging and disability services of an eligibility determination under this subsection. A provisional employee may only be supervised by an employee who has completed all training required by federal regulations, department rules and regulations and the center's, facility's, hospital's or provider of services' policies and procedures. No licensee, its contractors or employees, shall be liable for civil damages to any person refused employment or discharged from employment by reason of such licensee's compliance with the provisions of this section if such licensee acts in good faith to comply with this section.

~~(g)~~(h) The licensee operating a center, facility, hospital or a provider of services shall not require an applicant under this section to be fingerprinted, if the applicant has been the subject of a criminal history record check under this act within one year prior to the application for employment with the licensee operating a center, facility, hospital or a provider of services and has maintained a record of continuous employment, with no lapse of employment of over 90 days in any center, facility, hospital or a provider of services covered by this act.

Sec. 6. K.S.A. 39-2013 is hereby amended to read as follows: 39-2013. (a) Whenever the licensing agency finds a ~~substantial~~ failure to comply with the requirements, standards or rules and regulations ~~established~~ adopted under this act, ~~it shall~~ the licensing agency may make an order denying, conditioning, restricting, suspending or revoking the license after issuing a notice and an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto. Any applicant ~~or~~ licensee or person as defined in K.S.A. 39-2014, and amendments thereto, may appeal such order in accordance with the provisions of the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto.

(b) Except as provided in subsection (c), whenever the licensing agency denies, suspends or revokes a license under this section, the applicant or licensee shall not be eligible to apply for a new license or reinstatement of a license for a period of two years from the date of denial, suspension or revocation.

~~(c)~~(~~+~~) Any applicant or licensee issued an emergency order by the licensing agency denying, suspending or revoking a license under this section may apply for a new license or reinstatement of a license at any time upon submission of a written waiver of any right conferred upon such applicant or licensee under the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, and the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto, to the licensing agency in a settlement agreement or other manner as approved by the licensing agency.

~~(2)~~(d) Any licensee issued a notice of intent to take action by the licensing agency under this section may enter into a settlement agreement, as approved by the licensing agency, with the licensing agency at any time upon submission of a written waiver of any right conferred upon such licensee under the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, and the Kansas judicial review act, K.S.A. 77-601 et seq., and amendments thereto.

~~(4)~~(c) In the event that a community mental health center accredited by the commission on accreditation of rehabilitation facilities or the joint commission, or another national accrediting body approved by the secretary for aging and disability services, loses accreditation by such accrediting entity, the community mental health center shall immediately notify the Kansas department for aging and disability services.

Sec. 7. K.S.A. 39-2016 is hereby amended to read as follows: 39-2016. (a) A correction order may be issued by the secretary or the secretary's designee to a licensee whenever the state fire marshal or the marshal's representative or a duly authorized representative of the secretary inspects or investigates a center, facility, hospital or provider and determines that the center, facility, hospital or provider is not in compliance with the provisions of this act or article 59 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, or rules and regulations ~~promulgated thereunder~~ adopted by the secretary pursuant to such authority and such non-compliance is likely to adversely affect the health, safety, nutrition or sanitation of the individuals or the public. The correction order shall be served upon the licensee either personally or by certified mail, return receipt requested. The correction order shall be in writing, shall state the specific deficiency, cite the specific statutory provision or rule and regulation alleged to have been violated and shall specify the time allowed for correction.

(b) If upon re-inspection by the state fire marshal or the marshal's representative or a duly authorized representative of the secretary, it is found that the licensee has not corrected the deficiency or deficiencies specified in the correction order, the secretary may assess a civil penalty in an amount not to exceed \$500 per day, per deficiency, against the licensee for each subsequent ~~subsequent to the day~~ day following the time allowed for correction of the deficiency as specified in the correction order, the maximum assessment shall not exceed \$2,500. A written notice of assessment shall be served upon the licensee either personally or by certified mail, return receipt requested. Such notice of assessment shall advise the licensee of the opportunity to be heard in accordance with the Kansas administrative procedure act and to appeal such order in accordance with the provisions of the Kansas judicial review act.

(c) Before the assessment of a civil penalty, the secretary shall consider the following factors in determining the amount of the civil penalty to be assessed:

- (1) The severity of the violation;
- (2) the good faith effort exercised by the center, facility, hospital or provider to correct the violation; and
- (3) the history of compliance of the licensee of the center, facility, hospital or provider with the rules and regulations. If the secretary finds that some or all deficiencies cited in the correction order have also been cited against the center, facility, hospital or provider as a result of any inspection or investigation which occurred within 18 months prior to the inspection or investigation which resulted in such correction order, the secretary may double the civil penalty assessed against the licensee, the

maximum not to exceed \$5,000.

(d) All civil penalties assessed shall be due and payable within 10 days after written notice of assessment is served on the licensee, unless a longer period of time is granted by the secretary. If a civil penalty is not paid within the applicable time period, the secretary may file a certified copy of the notice of assessment with the clerk of the district court in the county where the center, facility, hospital or provider is located. The notice of assessment shall be enforced in the same manner as a judgment of the district court.

(e) Any licensee against whom a civil penalty has been assessed, may appeal such assessment to the secretary within 10 days after receiving a written notice of assessment by filing a written notice of appeal with the office of administrative hearings specifying why such civil penalty should not be assessed. Such appeal shall not operate to stay the payment of the civil penalty. Upon receipt of the notice of appeal, the office of administrative hearings shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act. If the initial order issued by the office of administrative hearings finds in favor of the appellant and the secretary affirms the initial order, any civil penalties collected shall be refunded to the appellant licensee. Either party may appeal the final order in accordance with the Kansas judicial review act.

(f) All civil penalties collected pursuant to the provisions of this act shall be deposited with the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt the state treasurer shall deposit the entire amount in the state general fund.

Sec. 8. K.S.A. 39-2019 is hereby amended to read as follows: 39-2019. (a) The Kansas department for aging and disability services shall establish a process for certification of and funding for certified community behavioral health clinics in accordance with this section.

(b) (1) Prior to February 1, 2027, the Kansas department for aging and disability services shall certify as a certified community behavioral health clinic ~~any only~~ community mental health ~~center~~ centers that meet the criteria as set forth in paragraph (3).

(2) On and after February 1, 2027, the Kansas department for aging and disability services shall certify as a certified community behavioral health clinic any community mental health center or qualified nonprofit provider that meets the criteria as set forth in paragraph (3).

(3) In order to be certified as a certified community behavioral health clinic, a community mental health center or qualified nonprofit provider shall be licensed by the department ~~that provides~~ and provide the following services: Crisis services; screening, assessment and diagnosis, including risk assessment; person-centered treatment planning; outpatient mental health and substance use services; primary care screening and monitoring of key indicators of health risks; targeted case management; psychiatric rehabilitation services; peer support and family supports; medication-assisted treatment; assertive community treatment; and community-based mental healthcare for military servicemembers and veterans.

(c) (1) The department of health and environment shall establish a prospective payment system under the medical assistance program for funding certified community behavioral health clinics. Such system shall permit payment by either daily or monthly

rates.

(2) The department of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement this subsection.

(3) Such prospective payment system shall be implemented on or before May 1, 2022.

(d) (1) Subject to applications therefor, the Kansas department for aging and disability services shall certify community behavioral health clinics by not later than the following specified dates:

(A) Six facilities currently receiving grants to operate as certified community behavioral health clinics by not later than May 1, 2022;

(B) three additional facilities by not later than July 1, 2022;

(C) nine additional facilities by not later than July 1, 2023; and

(D) eight additional facilities by not later than July 1, 2024.

(2) The Kansas department for aging and disability services may certify community behavioral health clinics in advance of the deadlines established in paragraph (1), including portions of the specified numbers of facilities.

~~(c)~~(e) The secretary for aging and disability services shall adopt rules and regulations as necessary to implement and administer this section.

(f) Programs and treatments provided by a certified community behavioral health clinic may be granted a certification renewal if such programs and treatments have been:

(1) Previously certified by the secretary for aging and disability services; and

(2) accredited by the commission on accreditation of rehabilitation facilities, the joint commission or another national accrediting body approved by the secretary for aging and disability services.";

On page 20, in line 12, after the first comma by inserting "39-2004, 39-2009, 39-2013, 39-2016, 39-2019,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "adult care homes" and inserting "health and healthcare"; also in line 1, by striking all after "to"; in line 2, by striking all before the semicolon and inserting "licensure and certification of certain care facilities and providers of disability and mental health services; prohibiting the state fire marshal and the marshal's representatives from wearing or operating a body camera during an on-site inspection at a licensed facility"; also in line 2, by striking "such"; in line 3, by striking "facilities" and inserting "continuing care retirement communities"; in line 5, before "amending" by inserting "authorizing the department to condition or restrict a license of a provider of disability services; granting the secretary of aging and disability services authority to grant regulation waivers unrelated to health and safety; adding a definition for a day service provider; authorizing correction orders and civil fines to be appealed to the secretary of aging and disability services; providing for certification of certified community behavioral health clinics; permitting certification renewal of programs and treatments that have previously been certified or accredited;"; in line 6, after the first comma by inserting "39-2004, 39-2009, 39-2013, 39-2016, 39-2019,";

And your committee on conference recommends the adoption of this report.

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2784**.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holscher.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate adjourned until 9:00 a.m., Tuesday, April 30, 2024.

Journal of the Senate

SIXTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, April 30, 2024, 9:00 a.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 40 senators present.

The President introduced Doug Henkle, to deliver the invocation:

Heavenly Father, Thank You for the tremendous blessing it is to come before Your throne this morning. As our work concludes, I ask again that You would give us peace. Peace, not necessarily the absence of conflict but rather Your presence, Jesus, which creates a stillness within us that is greater than what's going on around us.

Father, I pray that we would each be peacemakers. Peacemakers who release tension rather than intensify it, who seek solutions and find no delight in arguments. Peacemakers who calm the waters rather than trouble them, who generate more light than heat.

We have been reminded by the prophet Isaiah that "You will keep in perfect peace all who trust in You, all whose thoughts are fixed on You!" Father, I ask that we trust You and that You fix our thoughts on You, that we might experience Your perfect peace. I pray that You would cause a bond of common purpose to unite this body and that Your peace would be over the Kansas Senate.

Despite our high-tech world and efficient procedures, people remain the essential ingredient of life. Lord, I pray for friendly relations within this chamber. Cause each member of this body to think before they speak, aware that their words will not be overlooked or easily erased. Cause each Senator to address the closing issues of this session, to the best of their ability, in a diplomatic and honorable way.

I pray that all of these Senators, who You love dearly, would have confidence in You, that You are at work, that You are in full control and that You are in the midst of all that happens here. Because of that, dear Father, give them a sense of satisfaction and peace as they conclude this session. I pray that, as You have commanded us, we would love one another as You have loved us, despite differing views and approaches to the issues at hand.

I lift President Masterson, Vice President Wilborn, Majority Leader Alley and Minority Leader Sykes to You. Bless them with Your wisdom, Your knowledge and Your understanding as they lead this chamber, this session, to a beneficial resolution. In Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

POINT OF PERSONAL PRIVILEGE

Senator Kerschen rose on a Point of Personal Privilege to deliver the following remarks: John Wayne once said "Talk low, talk slow and don't talk too much." That has been my motto while serving in the legislature. I am using that advice today as I say farewell to all of you. I would like to say thank you to Norene who has supported me and shared the work responsibility as I fulfilled the duties of this office. We are a team.

A special thanks to Judy Marks who I have worked with the last 14 years of my 16 years in office. She has always made the Kerschen team look good. Her work ethic is beyond measure. While I have had the opportunity to serve on various committees, serving on and chairing the Ag Committee will always be a highlight for me. I appreciate having that opportunity.

I have a short list of important people I would like to recognize and thank before I leave: God, for allowing me this journey, my family and my colleagues on both sides of the aisle, there are some special ones, and you know who you are, Senate leadership, friends across the rotunda, the Sergeant of Arms and security personnel, Corey and his staff, our great revisors and research staff, Chuck, Vernice, Kenny and all maintenance people who keep this beautiful building clean and operating, the page ladies, the many lobbyists who are now my friends, and last, but not least, the constituents of Senate District 26 who have allowed me the opportunity to represent them.

The following quote by former President George H. W. Bush I used in my campaign material and correspondence sums up my purpose for being here, "For we are given the power not to advance our own purpose, nor make a great show in the world, nor a name. There is but one just use of power, and it is to serve the people." I leave you now with this advise from and old Jim Croce song: "You don't tug on Superman's cape, You don't spit into the wind, You don't pull the mask off the old Lone Ranger," and you don't mess around with Boll Weevils. God bless you all!

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senator Steffen introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1758—

A RESOLUTION congratulating and commending the 2023-2024
Hutchinson Community College Women's Basketball Team for an outstanding
season and for winning the National Junior College Athletic Association
Division 1 Women's Basketball Championship.

WHEREAS, On April 1, 2024, the Hutchinson Community College women's basketball team won the National Junior College Athletic Association (NJCAA) Division 1 Championship by defeating Northwest Florida State 88-80; and

WHEREAS, The team finished with a perfect 37-0 season, setting school records for the longest win streak and the most single season wins in program history. The team also secured the 2023-2024 Kansas Jayhawk Community College Conference (KJCCC) title; and

WHEREAS, The team's roster was composed of Kahlen Norris, Peyton Mosley, Journey Armstead, Hailey Jackson, Akaysha Muggeridge, Madi Denison, Monae Duffy, Jada Pleasant, Bree Horyna, Brynn McCormick and Kiki Smith; and

WHEREAS, The KJCCC All-Conference Team included Kiki Smith, Journey Armstead, Monae Duffy, Hailey Jackson and Akaysha Muggeridge. Kiki Smith was named the KJCCC Freshman of the Year, Player of the Year, NJCAA Division 1 All-American and broke the program's freshman season scoring record; and

WHEREAS, Hailey Jackson and Journey Armstead made the NJCAA All-Tournament Team, and Kiki Smith was named NJCAA Tournament Most Valuable Player; and

WHEREAS, Head Coach John Ontjes is a native of Nickerson, Kansas, and has lead the Blue Dragons for 17 years. Coach Ontjes was named as KJCCC Coach of the Year and NJCAA Coach of the Tournament; and

WHEREAS, The coaching staff also includes 23-year assistant Travis Kirk from Haven, Kansas and 10-year assistant Phil Anderson from McPherson, Kansas; and

WHEREAS, Hutchinson needed three last-second free throws from Hailey Jackson to send the game into overtime, and in the team's first overtime game of the season, they secured the program's inaugural national championship: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Hutchinson Community College Women's Basketball Team for an outstanding season and winning the NJCAA Division 1 Women's Basketball Championship; and

Be it further resolved: That we recognize the Athletic Director Josh Gooch, Assistant Athletic Director Steve Kappenman, Sports Information Director Steve Carpenter, Coordinator of Events Billy Watson, Athletics Business Manager Julie Reneau, administrative staff, training staff, coaches and players for an historic 2023-2024 season; and

Be it further resolved: That the Secretary of the Senate shall send 15 enrolled copies of this resolution to Senator Steffen.

On emergency motion of Senator Steffen **SR 1758** was adopted by voice vote.

Senator Straub introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1759—

A RESOLUTION congratulating and commending the 2023-2024
Barton Community College Men's Basketball Team for an outstanding
season and for winning the National Junior College Athletic Association
Division 1 Men's Basketball Championship.

WHEREAS, The National Junior College Athletic Association Division 1 Men's Basketball Championship Tournament (NJCAA) has been held in Hutchinson for 75 years. The prestigious tournament is primarily run by community volunteers, showcasing Hutchinson to college coaches, players, students and thousands of fans; and

WHEREAS, On March 30, 2024, the Barton Community College Men's Basketball Team won the NJCAA Division 1 Championship by defeating Triton College 88-73; and

WHEREAS, The team finished the season at 36-1 for the most wins in program history and captured the 2023-2024 Kansas Jayhawk Community College Conference (KJCCC) Championship; and

WHEREAS, Barton made its fifth NJCAA tournament appearance and became the first team since 2004 to win each of its tournament games by double digits. With their 27th consecutive win of the season, Barton secured its inaugural national championship;

and

WHEREAS, The team's roster was composed of Ring Malith, Mozae Downing-Rivers, Keandre Kindell, Brent Moss, Christian Bowen-Webb, Amiri Ndayisaba, Stefan Spray, Myles Thompson, Fawaz Surakat, Cooper Jackson, Lajae Jones, Aleng Bol, Bailey Milligan, Bralen Thompson and Fontaine Williams; and

WHEREAS, Head Coach Jeremy Coombs is a Kansas native who played basketball at Labette Community College and Kansas Wesleyan. The coaching staff, which includes Assistant Coaches Austin Downing and Tyson Downing, has compiled a record of 76-24 in three seasons at Barton. Coach Coombs was named the KJCCC Coach of the Year, the NJCAA Coach of the Tournament and the NJCAA Division 1 Men's Head Basketball Coach of the Year: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the Barton Community College Men's Basketball team for an outstanding season and winning the NJCAA Division 1 Men's Basketball Championship; and

Be it further resolved: That we recognize the Athletic Director Trevor Rolfs, Assistant Athletic Director Heather Panning, Sports Information Director Todd Moore, Auxiliary Services Manager Brandon Smith, administrative staff, training staff, coaches, players and President Heilman for an historic 2023-2024 season; and

Be it further resolved: That the Secretary of the Senate shall send three enrolled copies of this resolution to Senator Straub.

On emergency motion of Senator Straub **SR 1759** was adopted by voice vote.

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Directive No. 24-582 for your information. (April 26, 2024)

MESSAGES FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub SB 172**.

The House adopts the Conference Committee report on **HB 2097**.

Announcing action by the House of Representatives regarding the Governor's line item vetoes on **Senate Bill 28**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2023 Supp. 2-223, 12-1775a, 12-5256, 65-180, 74-50,107, 74-8711, 74-99b34, 75-6707, 76-775, 76-7,107, 79-2964, 79-3425i, 79-34,171 and 82a-955 and repealing the existing sections.

A motion was made that, notwithstanding the Governor's objection, the line item veto **Sections 29(b), 120(a) and 121(a)**. By a vote of 84 Yeas and 41 Nays, the motion having received the required two-thirds constitutional majority vote of the members elected or appointed to the House of Representatives, voting in the affirmative, the line item did pass.

A motion was made that, notwithstanding the Governor's objection, the line item veto **Section 35(a)**. By a vote of 86 Yeas and 39 Nays, the motion having received the required two-thirds constitutional majority vote of the members elected or appointed to the House of Representatives, voting in the affirmative, the line item did pass.

A motion was made that, notwithstanding the Governor's objection, the line item veto **Sections 83(dd) and 83(ee)**. By a vote of 116 Yeas and 9 Nays, the motion having received the required two-thirds constitutional majority vote of the members elected or appointed to the House of Representatives, voting in the affirmative, the line item did pass.

A motion was made that, notwithstanding the Governor's objection, the line item veto **Sections 112(a) and 116(a)**. By a vote of 97 Yeas and 28 Nays, the motion having received the required two-thirds constitutional majority vote of the members elected or appointed to the House of Representatives, voting in the affirmative, the line item did pass.

Announcing the action by the House of Representatives on **SB 473**, AN ACT concerning crimes, punishment and criminal procedure; relating to the Kansas code of criminal procedure; authorizing a notice to appear that meets certain requirements to serve as a lawful complaint; requiring a minimum appearance bond premium in district court; providing reasons for suspending or terminating authorization of a compensated surety; authorizing the chief judge of a judicial district to require a compensated surety to submit to a state and national criminal history record check; amending K.S.A. 22-2202, 22-2408 and 22-2809b and repealing the existing sections.

The veto message from the Governor having been received, a motion was made that notwithstanding the Governor's objection to **SB 473**, the bill be passed. By a vote of 87 Yeas and 38 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

Announcing the action by the House of Representatives on **H Sub SB 233**, AN ACT concerning children and minors; relating to healthcare of minors; enacting the forbidding abusive child transitions act; prohibiting healthcare providers from treating a child whose gender identity is inconsistent with the child's sex; authorizing a civil cause of action against healthcare providers for providing such treatments; restricting use of state funds to promote gender transitioning; prohibiting professional liability insurance from covering damages for healthcare providers that provide gender transition treatment to children; requiring professional discipline against a healthcare provider who performs such treatments; adding violation of the act to the definition of unprofessional conduct for physicians; amending K.S.A. 65-2837 and repealing the existing section.

The veto message from the Governor having been received, a motion was made that notwithstanding the Governor's objection to **H Sub SB 233**, the bill be passed. By a vote of 82 Yeas and 43 Nays, the motion not having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill did not pass and the veto was sustained.

The House announced the appointment of Representatives Smith, A, Bergkamp and Sawyer to replace Representatives Hoheisel, Clifford and Xu as conferees on **H Sub SB 37**.

The House adopts the Conference Committee report on **HB 2784**.

The House adopts the Conference Committee report on **H Sub SB 287**.

The House adopts the Conference Committee report to agree to disagree on **H Sub SB 37**, and has appointed Representatives Smith, A., Bergkamp and Sawyer as Second conferees on the part of the House.

The House adopts the Conference Committee report on **HB 2530**.

The House adopts the Conference Committee report to agree to disagree on **HB 2096**, and has appointed Representatives Smith, A., Bergkamp and Sawyer as Third conferees on the part of the House.

The House announced the appointment of Representatives Williams, K, Goetz and Ousley to replace Representatives Sutton, Penn and Neighbor as conferees on **SB 339**

The House adopts the Conference Committee report on **HB 2551**.

The House adopts the Conference Committee report on **HB 2531**.

The House adopts the Conference Committee report on **HB 2392**.

The House adopts the Conference Committee report on **S Sub HB 2047**.

The House adopts the Conference Committee report on **HB 2176**.

The House adopts the Conference Committee report on **SB 339**.

The House adopts the Conference Committee report on **SB 27**.

The House adopts the Conference Committee report on **H Sub SB 37**.

CONSIDERATION OF ORIGINAL MOTIONS

Senator Alley moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **SB 27; H Sub SB 37, H Sub SB 172; H Sub SB 287, H Sub SB 318; SB 339; S Sub HB 2047; HB 2392, HB 2530, HB 2531**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Warren moved the Senate concur in House amendments to **H Sub SB 318**.

H Sub SB 318, AN ACT concerning crimes, punishment and criminal procedure; relating to presumptions; modifying the rules of evidence to provide rules for presumptions and inferences; replacing the rebuttable presumption of intent to distribute controlled substances with a permissive inference; amending K.S.A. 21-5705 and 60-416 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Fransisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Longbine.

The Senate concurred.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 27** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 11 through 36;

By striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 39; following line 39, by inserting:

"Section 1. On and after January 1, 2025, K.S.A. 9-2201, as amended by section 16 of 2024 Senate Bill No. 491, is hereby amended to read as follows: 9-2201. As used in this act:

(a) "Act" means the Kansas mortgage business act.

(b) "Amount financed" means the net amount of credit provided to the consumer or on the consumer's behalf. The amount financed shall be calculated as provided in rules and regulations adopted by the commissioner pursuant to K.S.A. 9-2209, and amendments thereto.

(c) "Annual percentage rate" shall have the same meaning, be interpreted in the same manner and be calculated using the same methodology as prescribed by 15 U.S.C. § 1606.

(d) "Applicant" means a person who has submitted an application for a license to engage in mortgage business or a person who has submitted an application for registration to conduct mortgage business in this state as a loan originator.

~~(b)~~(e) "Appraised value" means, with respect to any real estate at any time:

(1) The total appraised value of the real estate, as reflected in the most recent records of the tax assessor of the county in which the real estate is located;

(2) the fair market value of the real estate, as reflected in a written appraisal of the real estate performed by a Kansas licensed or certified appraiser within the past 12 months; or

(3) in the case of a nonpurchase-money real estate transaction, the estimated market value as determined through a method acceptable to the commissioner. In determining the acceptability of the method, the commissioner shall consider the reliability and impartiality of the method under the circumstances. The commissioner may consider industry standards or customs. A method shall not be acceptable if the resulting value is predetermined or when the fee to be paid to the method provider is contingent upon the property valuation reached or upon the consequences resulting from the property valuation reached.

(f) "Balloon payment" means any required payment that is more than twice as large as the average of all earlier scheduled payments.

(g) "Branch office" means a place of business, other than a principal place of business, where the mortgage company maintains a physical location for the purpose of conducting mortgage business with the public.

~~(e)~~(h) "Closed-end covered transaction" means the same as in 12 C.F.R. 1026.2(a)(10).

(i) "Closing costs" means:

(1) The actual fees paid to a public official or agency of the state or federal government for filing, recording or releasing any instrument relating to the debt; and

(2) bona fide and reasonable expenses incurred by the mortgage company in connection with the making, closing, disbursing, extending, readjusting or renewing the debt that are payable to third parties not related to the mortgage company. Reasonable fees for an appraisal made by the mortgage company or related party are permissible.

(j) (1) "Code mortgage rate" means the greater of:

(A) 12%; or

(B) the sum of:

(i) The required net yield published by the federal national mortgage association for 60-day mandatory delivery whole-loan commitments for 30-year fixed-rate mortgages

with actual remittance on the first day for which the required net yield was published in the previous month; and

(ii) 5%.

(2) If the reference rate referred to in clause (i)(1)(B)(i) is discontinued, becomes impractical to use, or is otherwise not readily ascertainable for any reason, the commissioner may designate a comparable replacement reference rate and, upon publishing notice of the same, such replacement reference rate shall become the reference rate referred to in clause (i)(1)(B)(i). The secretary of state shall publish notice of the code mortgage rate not later than the second issue of the Kansas register published each month.

(k) "Commissioner" means the state bank commissioner or designee, who shall be the deputy commissioner of the consumer and mortgage lending division of the office of the state bank commissioner.

(~~h~~) (l) "Consumer" means an individual to whom credit is offered or granted under this act.

(m) "Covered transaction" means a mortgage loan that:

(1) Is a subordinate mortgage;

(2) has a loan-to-value ratio at the time when made that exceeds 100%, except for any loan guaranteed by a federal government agency of the United States; or

(3) in the case of section 11 of 2024 House Bill No. 2247, and amendments thereto, the annual percentage rate of the loan exceeds the code mortgage rate.

(n) "Finance charge" means all charges payable directly or indirectly by the consumer and imposed directly or indirectly by the mortgage company as an incident to or as a condition of the extension of credit. The finance charge shall be calculated as provided in rules and regulations adopted by the commissioner pursuant to K.S.A. 9-2209, and amendments thereto.

(o) "Individual" means a human being.

(~~e~~) (p) "Insufficient payment method" means any instrument as defined in K.S.A. 84-3-104, and amendments thereto, drawn on any financial institution for the payment of money and delivered in payment, in whole or in part, of preexisting indebtedness of the drawer or maker, which is refused payment by the drawee because the drawer or maker does not have sufficient funds in or credits with the drawee to pay the amount of the instrument upon presentation.

(q) "Installment" means a periodic payment required or permitted by agreement in connection with a covered transaction.

(r) "License" means a license issued by the commissioner to engage in mortgage business as a mortgage company.

(~~f~~) (s) "Licensed mortgage company" means a mortgage company that has been licensed as required by this act.

(t) "Licensee" means a person who is licensed by the commissioner as a mortgage company.

(~~g~~) (u) "Loan originator" means an individual:

(1) Who engages in mortgage business on behalf of a single mortgage company;

(2) whose conduct of mortgage business is the responsibility of the licensee;

(3) who takes a residential mortgage loan application or offers or negotiates terms of a residential mortgage loan for compensation or gain or in the expectation of compensation or gain; and

(4) whose job responsibilities include contact with borrowers during the loan origination process, which can include soliciting, negotiating, acquiring, arranging or making mortgage loans for others, obtaining personal or financial information, assisting with the preparation of mortgage loan applications or other documents, quoting loan rates or terms or providing required disclosures. It does not include any individual engaged solely as a loan processor or underwriter.

~~(h)~~(v) "Loan processor or underwriter" means an individual who performs clerical or support duties as an employee at the direction and subject to the supervision and instruction of a person registered or exempt from registration under this act.

(1) For purposes of this subsection, the term "clerical or support duties" may include subsequent to the receipt of a mortgage loan application:

(A) The receipt, collection, distribution and analysis of information common for the processing or underwriting of a residential mortgage loan; and

(B) communicating with a consumer to obtain the information necessary for the processing or underwriting of a loan, to the extent that such communication does not include offering or negotiating loan rates or terms or counseling consumers about residential mortgage loan rates or terms.

(2) An individual engaging solely in loan processor or underwriter activities shall not represent to the public, through advertising or other means of communicating or providing information including the use of business cards, stationery, brochures, signs, rate lists or other promotional items, that such individual can or will perform any of the activities of a loan originator.

~~(i)~~(w) "Loan-to-value ratio" means a fraction expressed as a percentage at any time:

(1) The numerator of which is the aggregate unpaid principal balance of all loans secured by a mortgage; and

(2) the denominator of which is the appraised value of the real estate.

~~(j)~~(x) "Mortgage business" means engaging in, or holding out to the public as willing to engage in, for compensation or gain, or in the expectation of compensation or gain, directly or indirectly, the business of making, originating, servicing, soliciting, placing, negotiating, acquiring, selling, arranging for others, or holding the rights to or offering to solicit, place, negotiate, acquire, sell or arrange for others, mortgage loans in the primary market.

~~(k)~~(y) "Mortgage company" means a person engaged in mortgage business.

~~(l)~~(z) "Mortgage loan" means a loan or agreement to extend credit made to one or more ~~individuals~~ persons which is secured by a first or subordinate mortgage, deed of trust, contract for deed or other similar instrument or document representing a security interest or lien, except as provided for in K.S.A. 60-1101 through 60-1110, and amendments thereto, upon any lot intended for residential purposes or a one-to-four family dwelling as defined in 15 U.S.C. § 1602(w), located in this state, occupied or intended to be occupied for residential purposes by the owner, including the renewal or refinancing of any such loan.

~~(m)~~(aa) "Mortgage loan application" means the submission of a consumer's financial information, including, but not limited to, the consumer's name, income and social security number, to obtain a credit report, the property address, an estimate of the value of the property and the mortgage loan amount sought for the purpose of obtaining an extension of credit.

~~(n)~~(bb) "Mortgage servicer" means any person engaged in mortgage servicing.

~~(n)~~(cc) "Mortgage servicing" means collecting payment, remitting payment for another or the right to collect or remit payment of any of the following: Principal; interest; tax; insurance; or other payment under a mortgage loan.

~~(o)~~(dd) "Nationwide mortgage licensing system and registry" means a mortgage licensing system developed and maintained by the conference of state bank supervisors and the American association of residential mortgage regulators for the licensing and registration of mortgage loan originators.

~~(p)~~(ee) "Not-for-profit" means a business entity that is granted tax exempt status by the internal revenue service.

~~(q)~~(ff) "Open-end covered transaction" means a covered transaction in which a mortgage company:

- (1) Reasonably contemplates repeated transactions;
- (2) may impose a finance charge from time to time on an outstanding unpaid balance; and
- (3) extends an amount of credit to the consumer during the term of the mortgage loan, up to any set limit, that is generally made available to the extent that any outstanding balance is repaid.

~~(r)~~(gg) "Person" means any individual, sole proprietorship, corporation, partnership, trust, association, joint venture, pool syndicate, unincorporated organization or other form of entity, however organized.

~~(s)~~(hh) "Prepaid finance charge" means any finance charge paid separately before or at consummation of a transaction or withheld from the proceeds of the credit at any time.

~~(t)~~(ii) "Principal" of a mortgage loan means the total of the amount financed and the prepaid finance charges, except that prepaid finance charges are not added to the amount financed to the extent such prepaid finance charges are paid separately by the consumer.

~~(u)~~(jj) "Primary market" means the market wherein mortgage business is conducted including activities conducted by any person who assumes or accepts any mortgage business responsibilities of the original parties to the transaction.

~~(v)~~(kk) "Principal place of business" means a place of business where mortgage business is conducted, which has been designated by a licensee as the primary headquarters from which all mortgage business and administrative activities are managed and directed.

~~(w)~~(ll) "Promotional items" means pens, pencils, hats and other such novelty items.

~~(x)~~(mm) "Registrant" means any individual who holds a valid registration to conduct mortgage business in this state as a loan originator on behalf of a licensed mortgage company.

~~(y)~~(nn) "Related" with respect to a person means:

- (1) A person directly or indirectly controlling, controlled by or under common control of another person;
- (2) an officer or director employed by the person performing similar functions with another person;
- (3) a relative by blood, adoption or marriage of a person within the fourth degree of relationship; or
- (4) an individual who shares the same home with such person.

~~(z)~~(oo) "Remote location" means a location other than the principal place of business

or a branch office where a licensed mortgage company's employee or independent contractor is authorized by such company to engage in mortgage business. A remote location is not considered a branch office.

(*)~~(pp)~~ "Unique identifier" means a number or other identifier assigned by protocols established by the nationwide mortgage licensing system and registry.

Sec. 2. On and after January 1, 2025, K.S.A. 9-2209, as amended by section 17 of 2024 Senate Bill No. 491, is hereby amended to read as follows: 9-2209. (a) The commissioner may exercise the following powers:

(1) Adopt rules and regulations as necessary to carry out the intent and purpose of this act and to implement the requirements of applicable federal law;

(2) make investigations and examinations of the licensee's or registrant's operations, books and records as the commissioner deems necessary for the protection of the public and control access to any documents and records of the licensee or registrant under examination or investigation;

(3) charge reasonable costs of investigation, examination and administration of this act, to be paid by the applicant, licensee or registrant. The commissioner shall establish such fees in such amounts as the commissioner may determine to be sufficient to meet the budget requirements of the commissioner for each fiscal year. Charges for administration of this act shall be based on the licensee's loan volume;

(4) order any licensee or registrant to cease any activity or practice that the commissioner deems to be deceptive, dishonest, violative of state or federal law or unduly harmful to the interests of the public;

(5) exchange any information regarding the administration of this act with any agency of the United States or any state that regulates the licensee or registrant or administers statutes, rules and regulations or programs related to mortgage business and to enter into information sharing arrangements with other governmental agencies or associations representing governmental agencies that are deemed necessary or beneficial to the administration of this act;

(6) disclose to any person or entity that an applicant's, licensee's or registrant's application, license or registration has been denied, suspended, revoked or refused renewal;

(7) require or permit any person to file a written statement, under oath or otherwise as the commissioner may direct, setting forth all the facts and circumstances concerning any apparent violation of this act; or any rule and regulation promulgated thereunder or any order issued pursuant to this act;

(8) receive, as a condition in settlement of any investigation or examination, a payment designated for consumer education to be expended for such purpose as directed by the commissioner;

(9) require that any applicant, registrant, licensee or other person successfully passes a standardized examination designed to establish such person's knowledge of mortgage business transactions and all applicable state and federal law. Such examinations shall be created and administered by the commissioner or the commissioner's designee, and may be made a condition of application approval or application renewal;

(10) require that any applicant, licensee, registrant or other person complete a minimum number of preclicensing education hours and complete continuing education hours on an annual basis. Preclicensing and continuing education courses shall be

approved by the commissioner, or the commissioner's designee, and may be made a condition of application approval and renewal;

(11) require fingerprinting of any applicant, registrant or licensee in accordance with section 2 of 2024 Senate Bill No. 491, and amendments thereto. For the purposes of this section and in order to reduce the points of contact that the federal bureau of investigation may have to maintain with the individual states, the commissioner may use the nationwide mortgage licensing system and registry as a channeling agent for requesting information from and distributing information to the department of justice or any governmental agency;

(12) refer such evidence as may be available concerning any violation of this act or of any rule and regulation or order hereunder to the attorney general, or in consultation with the attorney general to the proper county or district attorney, who may in such prosecutor's discretion, with or without such a referral, institute the appropriate criminal proceedings under the laws of this state;

(13) issue and apply to enforce subpoenas in this state at the request of a comparable official of another state if the activities constituting an alleged violation for which the information is sought would be a violation of the Kansas mortgage business act if the activities had occurred in this state;

(14) use the nationwide mortgage licensing system and registry as a channeling agent for requesting and distributing any information regarding loan originator registration or mortgage company licensing to and from any source so directed by the commissioner;

(15) establish relationships or contracts with the nationwide mortgage licensing system and registry or other entities to collect and maintain records and process transaction fees or other fees related to applicants, licensees, registrants or other persons subject to this act and to take such other actions as may be reasonably necessary to participate in the nationwide mortgage licensing system and registry. The commissioner shall regularly report ~~violations of law, as well as~~ enforcement actions and other relevant information to the nationwide mortgage licensing system and registry;

(16) require any licensee or registrant to file reports with the nationwide mortgage licensing system and registry in the form prescribed by the commissioner or the commissioner's designee;

(17) receive and act on complaints, take action designed to obtain voluntary compliance with the provisions of the Kansas mortgage business act or commence proceedings on the commissioner's own initiative;

(18) provide guidance to persons and groups on their rights and duties under the Kansas mortgage business act;

(19) enter into any informal agreement with any mortgage company for a plan of action to address violations of law. The adoption of an informal agreement authorized by this paragraph shall not be subject to the provisions of K.S.A. 77-501 et seq., and amendments thereto, or K.S.A. 77-601 et seq., and amendments thereto. Any informal agreement authorized by this paragraph shall not be considered an order or other agency action, and shall be considered confidential examination material pursuant to K.S.A. 9-2217, and amendments thereto. All such examination material shall also be confidential by law and privileged, shall not be subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action; and

(20) issue, amend and revoke written administrative guidance documents in accordance with the applicable provisions of the ~~Kansas administrative procedure rules and regulations filing act.~~

(b) For the purpose of any examination, investigation or proceeding under this act, the commissioner or any officer designated by the commissioner may administer oaths and affirmations, subpoena witnesses, compel such witnesses' attendance, adduce evidence and require the production of any matter that is relevant to the examination or investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of relevant facts, or any other matter reasonably calculated to lead to the discovery of relevant information or items.

(c) In case of contumacy by, or refusal to obey a subpoena issued to any person, any court of competent jurisdiction, upon application by the commissioner, may issue to that person an order requiring the person to appear before the commissioner, or the officer designated by the commissioner, there, to produce documentary evidence if so ordered or to give evidence touching the matter under investigation or in question. Any failure to obey the order of the court may be punished by the court as a contempt of court.

(d) No person is excused from attending and testifying or from producing any document or record before the commissioner or in obedience to the subpoena of the commissioner or any officer designated by the commissioner or in any proceeding instituted by the commissioner, on the ground that the testimony or evidence, documentary or otherwise, required of the person may tend to incriminate the person or subject the person to a penalty or forfeiture. No individual may be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which such person is compelled, after claiming privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that the individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(e) Except for refund of an excess charge, no liability is imposed under the Kansas mortgage business act for an act done or omitted in conformity with a rule and regulation or written administrative ~~interpretation~~ guidance document of the commissioner in effect at the time of the act or omission, notwithstanding that after the act or omission, the rule and regulation or written administrative interpretation may be determined by judicial or other authority to be invalid for any reason.

(f) The grant of powers to the commissioner in this article does not affect remedies available to consumers under K.S.A. 9-2201 et seq., and amendments thereto, or under other principles of law or equity.

Sec. 3. On and after January 1, 2025, K.S.A. 16a-6-104, as amended by section 22 of 2024 Senate Bill No. 491, is hereby amended to read as follows: 16a-6-104. ~~This act shall be administered by the deputy commissioner for consumer and mortgage lending who is also referred to as the administrator.~~

(1) In addition to other powers granted by this act, the administrator ~~within the limitations provided by law~~ may:

(a) Receive and act on complaints, take action designed to obtain voluntary compliance with the provisions of K.S.A. 16a-1-101 to ~~16a-9-102, inclusive et seq.~~, and amendments thereto, or commence proceedings on the administrator's own initiative;

(b) ~~counsel~~ provide guidance to persons and groups on their rights and duties under K.S.A. 16a-1-101 ~~to 16a-9-102, inclusive et seq.,~~ and amendments thereto;

(c) establish or support programs for the education of consumers with respect to credit practices ~~and problems and~~;

(A) As a condition in settlements of investigations or examinations, the administrator may receive ~~require~~ a payment designated for consumer education to be expended as directed by the administrator for such purpose; and

(B) the administrator may fund consumer education programs from operating funds in an amount up to 1% of operating funds;

(d) make studies appropriate to effectuate the purposes and policies of K.S.A. 16a-1-101 ~~to 16a-9-102, inclusive et seq.,~~ and amendments thereto;

(e) adopt, amend and revoke rules and regulations to carry out the specific provisions of K.S.A. 16a-1-101 ~~to 16a-9-102, inclusive et seq.,~~ and amendments thereto, ~~and to implement the requirements of the secure and fair enforcement for mortgage licensing act of 2008 (P.L. 110-289);~~

(f) issue, amend and revoke written administrative interpretations. ~~Such written administrative interpretations shall be approved by the attorney general and published in the Kansas register within 15 days of issuance. The administrator shall annually publish all written administrative interpretations in effect;~~

(g) maintain offices within this state;

(h) ~~appoint any necessary attorneys, hearing examiners, clerks, and other employees and agents and fix their set such~~ employees' compensation, and authorize attorneys appointed under this section to appear for and represent the administrator in court;

(i) examine periodically at intervals the administrator deems appropriate the loans, business and records of every licensee, ~~registrant or person filing notification pursuant to K.S.A. 16a-6-201 through 16a-6-203, and amendments thereto or consumer credit filer,~~ except licensees ~~which that~~ are supervised financial organizations. The official or agency responsible for the supervision of each supervised financial organization shall examine the loans, business and records of each such organization in the manner and periodically at intervals prescribed by the administrator. In addition, for the purpose of discovering violations of K.S.A. 16a-1-101 ~~through 16a-9-102 et seq.,~~ and amendments thereto, or securing information lawfully required, the administrator or the official or agency to whose supervision the organization is subject to K.S.A. 16a-6-105, and amendments thereto, may at any time investigate the loans, business and records of any supervised lender. For examination purposes the administrator shall have free and reasonable access to the offices, places of business and records of the ~~lender, registrant or person filing notification licensee or consumer credit filer~~ and the administrator may control access to any documents and records of a licensee, ~~registrant or person filing notification under examination or consumer credit filer;~~

(j) refer such evidence as may be available concerning violations of this act or of any rule and regulation or order to the attorney general or in consultation with the attorney general to the proper county or district attorney, who may in the prosecutor's discretion, with or without such a ~~reference~~ referral, institute the appropriate criminal proceedings under this act. Upon receipt of such reference, the attorney general or the county attorney or district attorney may request that a duly employed attorney of the administrator prosecute or assist in the prosecution of such violation on behalf of the

~~state. Upon approval of the administrator, such employee shall be appointed special prosecutor for the attorney general or the county attorney or district attorney to serve without compensation from the attorney general or the county attorney or district attorney. Such special prosecutor shall have all the powers and duties prescribed by law for assistant attorneys general or assistant county or district attorneys, and such other powers and duties as are lawfully delegated to such special prosecutors by the attorney general or the county attorney or district attorney the laws of this state;~~

(k) if deemed necessary by the administrator, require fingerprinting of any applicant in accordance with section 2 of 2024 Senate Bill No. 491, and amendments thereto. For purposes of this section and in order to reduce the points of contact which the federal bureau of investigation may have to maintain with the individual states, the administrator may use the nationwide mortgage licensing system and registry as a channeling agent for requesting information from and distributing information to the department of justice or any governmental agency. As used in this paragraph, "applicant" means a licensee, a member of a licensee if such licensee is a copartnership or association, an officer or director if such licensee is a corporation or an agent or other person acting on behalf of a licensee;

(l) exchange information regarding the administration of this act with any agency of the United States or any state which regulates the licensee, ~~registrant or person required to file notification~~, or consumer credit filer who administers statutes, rules and regulations or other programs related to consumer credit and to enter into information sharing arrangements with other governmental agencies or associations representing governmental agencies which are deemed necessary or beneficial to the administration of this act;

~~(m) require that any applicant, licensee, registrant or other person complete a minimum number of prelicensing education hours and complete continuing education hours on an annual basis. Prelicensing and continuing education courses shall be approved by the administrator or the administrator's designee and may be made a condition of the application approval and renewal;~~

~~(n) require that any applicant, licensee, registrant or other person successfully pass a standardized examination designed to establish such person's knowledge of residential mortgage loan origination transactions and all applicable state and federal law. Such examinations shall be created and administered by the administrator or the administrator's designee and may be made a condition of application approval;~~

~~(o) use the nationwide mortgage licensing system and registry as a channeling agent for requesting and distributing any information regarding residential mortgage loan originator registration or supervised lender licensing to and from any source so directed by the administrator;~~

~~(p)(n) establish relationships or contracts with the nationwide mortgage licensing system and registry or other entities to collect and maintain records and process transaction fees or other fees related to applicants, licensees, registrants or other persons subject to the act and to take such other actions as may be reasonably necessary to participate in the nationwide mortgage licensing system and registry. The administrator shall regularly report violations of law, as well as enforcement actions and other relevant information, to the nationwide mortgage licensing system and registry, and make publicly available the proposed budget, fees, and audited financial statements of the nationwide mortgage licensing system and registry as may be prepared by the~~

nationwide mortgage licensing system and registry and provided to the administrator;

~~(q) require that any residential mortgage loan originator applicant, registrant or other person successfully pass a standardized examination designed to establish such person's knowledge of mortgage transactions and all applicable state and federal law. Such examinations shall be created and administered by the administrator or the administrator's designee, and may be made a condition of application approval or application renewal;~~

~~(r) require that any mortgage loan originator applicant, registrant or other person complete a minimum number of prelicensing education hours and complete continuing education hours on an annual or biannual basis. Prelicensing and continuing education courses shall be approved by the administrator or the administrator's designee and may be made a condition of application approval and renewal; and~~

~~(s)(o) require any licensee or registrant to file reports with the nationwide mortgage licensing system and registry in the form prescribed by the administrator or the administrator's designee.~~

(2) The administrator shall enforce the provisions of this act and the rules and regulations and interpretations adopted thereunder with respect to a creditor, unless the creditor's compliance is regulated exclusively or primarily by another state or federal agency.

(3) To keep the administrator's rules and regulations in harmony with the rules of administrators in other jurisdictions ~~which enact the revised uniform consumer credit code~~, the administrator, so far as is consistent with the purposes, policies and provisions of K.S.A. 16a-1-101 ~~to 16a-9-102, inclusive et seq.~~, and amendments thereto, may:

(a) Before adopting, amending and revoking rules and regulations, advise and consult with administrators in other jurisdictions ~~which enact the uniform consumer credit code~~; and

(b) in adopting, amending and revoking rules and regulations, take into consideration the rules of administrators in other jurisdictions ~~which enact the revised uniform consumer credit code~~.

(4) Except for refund of an excess charge, no liability is imposed under K.S.A. 16a-1-101 ~~to 16a-9-102, inclusive et seq.~~, and amendments thereto, for an act done or omitted in conformity with a rule and regulation or written administrative interpretation of the administrator in effect at the time of the act or omission notwithstanding that after the act or omission the rule and regulation or written administrative interpretation may be determined by judicial or other authority to be invalid for any reason.

(5) The administrator prior to December 1 of each year shall establish such fees as are authorized under the provisions of K.S.A. 16a-1-101 ~~to 16a-9-102, inclusive et seq.~~, and amendments thereto, for the ensuing calendar year in such amounts as the administrator may determine to be sufficient to meet the budget requirements of the administrator for each fiscal year.

Sec. 4. K.S.A. 17-12a412, as amended by section 1 of 2024 Senate Bill No. 405, is hereby amended to read as follows: 17-12a412. (a) *Disciplinary conditions—applicants.* An order issued under this act may deny an application, or may condition or limit registration of an applicant to be a broker-dealer, agent, investment adviser, or investment adviser representative if the administrator finds that the order is in the public interest and that there is a ground for discipline under subsection (d) against the applicant or, if the applicant is a broker-dealer or investment adviser, against any

partner, officer, director, person having a similar status or performing similar functions, or person directly or indirectly controlling the broker-dealer or investment adviser.

(b) *Disciplinary conditions — registrants.* An order issued under this act may revoke, suspend, condition, or limit the registration of a registrant if the administrator finds that the order is in the public interest and that there is a ground for discipline under subsection (d) against the registrant or, if the registrant is a broker-dealer or investment adviser, against any partner, officer, or director, any person having a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer or investment adviser. However, the administrator:

(1) May not institute a revocation or suspension proceeding under this subsection based on an order issued by another state that is reported to the administrator or designee later than one year after the date of the order on which it is based; and

(2) under subsection (d)(5)(A) and (d)(5)(B), may not issue an order on the basis of an order under the state securities act of another state unless the other order was based on conduct for which subsection (d) would authorize the action had the conduct occurred in this state.

(c) *Disciplinary penalties — registrants.* If the administrator finds that the order is in the public interest and that there is a ground for discipline under subsection (d)(1) through (d)(6), (d)(8), (d)(9), (d)(10), (d)(12) or (d)(13) against a registrant or, if the registrant is a broker-dealer or investment adviser, against any partner, officer, or director, any person having similar functions, or any person directly or indirectly controlling the broker-dealer or investment adviser, then the administrator may enter an order against the registrant containing one or more of the following sanctions or remedies:

(1) A censure;

(2) a bar or suspension from association with a broker-dealer or investment adviser registered in this state;

(3) a civil penalty up to \$25,000 for each violation. If any person is found to have violated any provision of this act, and such violation is committed against elder or disabled persons, as defined in K.S.A. 50-676, and amendments thereto, in addition to any civil penalty otherwise provided by law, the administrator may impose an additional penalty not to exceed \$15,000 for each such violation. The total penalty against a person shall not exceed \$1,000,000;

(4) an order requiring the registrant to pay restitution for any loss or disgorge any profits arising from a violation, including, in the administrator's discretion, the assessment of interest from the date of the violation at the rate provided for interest on judgments by K.S.A. 16-204, and amendments thereto;

(5) an order charging the registrant with the actual cost of an investigation or proceeding; or

(6) an order requiring the registrant to cease and desist from any action that constitutes a ground for discipline, or to take other action necessary or appropriate to comply with this act.

(d) *Grounds for discipline.* A person may be disciplined under subsections (a) through (c) if the person:

(1) Has filed an application for registration in this state under this act or the predecessor act within the previous 10 years, which, as of the effective date of registration or as of any date after filing in the case of an order denying effectiveness,

was incomplete in any material respect or contained a statement that, in light of the circumstances under which it was made, was false or misleading with respect to a material fact;

(2) willfully violated or willfully failed to comply with this act or the predecessor act or a rule adopted or order issued under this act or the predecessor act within the previous 10 years;

(3) has been convicted of a felony or within the previous 10 years has been convicted of a misdemeanor involving a security, a commodity future or option contract, or an aspect of a business involving securities, commodities, investments, franchises, insurance, banking; or finance;

(4) is enjoined or restrained by a court of competent jurisdiction in an action instituted by the administrator under this act or the predecessor act, a state, the securities and exchange commission, or the United States from engaging in or continuing an act, practice, or course of business involving an aspect of a business involving securities, commodities, investments, franchises, insurance, banking; or finance;

(5) is the subject of an order, issued after notice and opportunity for hearing by:

(A) The securities, depository institution, insurance; or other financial services regulator of a state or by the securities and exchange commission or other federal agency denying, revoking, barring; or suspending registration as a broker-dealer, agent, investment adviser, federal covered investment adviser, or investment adviser representative;

(B) the securities regulator of a state or by the securities and exchange commission against a broker-dealer, agent, investment adviser, investment adviser representative; or federal covered investment adviser;

(C) the securities and exchange commission or by a self-regulatory organization suspending or expelling the registrant from membership in the self-regulatory organization;

(D) a court adjudicating a United States postal service fraud order;

(E) the insurance regulator of a state denying, suspending, or revoking the registration of an insurance agent; or

(F) a depository institution regulator suspending or barring a person from the depository institution business;

(6) is the subject of an adjudication or determination, after notice and opportunity for hearing, by the securities and exchange commission, the commodity futures trading commission, the federal trade commission, a federal depository institution regulator, or a depository institution, insurance; or other financial services regulator of a state that the person willfully violated the securities act of 1933, the securities exchange act of 1934, the investment advisers act of 1940, the investment company act of 1940, or the commodity exchange act, the securities or commodities law of a state; or a federal or state law under which a business involving investments, franchises, insurance, banking; or finance is regulated;

(7) is insolvent, either because the person's liabilities exceed the person's assets or because the person cannot meet the person's obligations as they mature, but the administrator may not enter an order against an applicant or registrant under this paragraph without a finding of insolvency as to the applicant or registrant;

(8) refuses to allow or otherwise impedes the administrator from conducting an

audit or inspection under K.S.A. 17-12a411(d), and amendments thereto, refuses access to a registrant's office to conduct an audit or inspection under K.S.A. 17-12a411(d), and amendments thereto, fails to keep or maintain sufficient records to permit an audit disclosing the condition of the registrant's business; or fails willfully and without cause to comply with a request for information by the administrator or person designated by the administrator in conducting investigations or examinations under this act;

(9) has failed to reasonably supervise an agent, investment adviser representative, or other individual, if the agent, investment adviser representative, or other individual was subject to the person's supervision and committed a violation of this act or the predecessor act or a rule adopted or order issued under this act or the predecessor act within the previous 10 years;

(10) has not paid the proper filing fee within 30 days after having been notified by the administrator of a deficiency, but the administrator shall vacate an order under this paragraph when the deficiency is corrected;

(11) after notice and opportunity for a hearing, has been found within the previous 10 years:

(A) By a court of competent jurisdiction to have willfully violated the laws of a foreign jurisdiction under which the business of securities, commodities, investment, franchises, insurance, banking, or finance is regulated;

(B) to have been the subject of an order of a securities regulator of a foreign jurisdiction denying, revoking, or suspending the right to engage in the business of securities as a broker-dealer, agent, investment adviser, investment adviser representative; or similar person; or

(C) to have been suspended or expelled from membership by or participation in a securities exchange or securities association operating under the securities laws of a foreign jurisdiction;

(12) is the subject of a cease and desist order issued by the securities and exchange commission or issued under the securities, commodities, investment, franchise, banking, finance, or insurance laws of a state;

(13) has engaged in dishonest or unethical practices in the securities, commodities, investment, franchise, banking, finance, or insurance business within the previous 10 years;

(14) is not qualified on the basis of factors such as training, experience, and knowledge of the securities business. However, in the case of an application by an agent for a broker-dealer that is a member of a self-regulatory organization or by an individual for registration as an investment adviser representative, a denial order may not be based on this paragraph if the individual has successfully completed all examinations required by subsection (e). The administrator may require an applicant for registration under K.S.A. 17-12a402 or 17-12a404, and amendments thereto, who has not been registered in a state within the two years preceding the filing of an application in this state to successfully complete an examination; ~~or~~

(15) lacks sufficient character or reputation to warrant the public trust; or

(16) was required to report information under the protect vulnerable adults from financial exploitation act and knowingly failed to make such a report or knowingly caused such report not to be made within the previous 10 years.

(e) *Examinations.* A rule adopted or order issued under this act may require that an examination, including an examination developed or approved by an organization of

securities regulators, be successfully completed by a class of individuals or all individuals. An order issued under this act may waive, in whole or in part, an examination as to an individual and a rule adopted under this act may waive, in whole or in part, an examination as to a class of individuals if the administrator determines that the examination is not necessary or appropriate in the public interest and for the protection of investors.

(f) *Summary process.* In accordance with the Kansas administrative ~~procedures~~ procedure act, the administrator may use summary or emergency proceedings to suspend or deny an application; restrict, condition, limit, or suspend a registration; or censure, bar, or impose a civil penalty or cease and desist order on a registrant before final determination of an administrative proceeding. If a hearing is not requested and none is ordered by the administrator within 30 days after the date of service of the order, the order becomes final by operation of law. If a hearing is requested or ordered, the administrator, after notice of and opportunity for hearing to each person subject to the order, may modify or vacate the order or extend the order until final determination.

(g) *Procedural requirements.* (1) An order issued may not be issued under this section, except under subsection (f), without:

- (A) Appropriate notice to the applicant or registrant;
- (B) opportunity for hearing; and
- (C) findings of fact and conclusions of law in a record.

(2) Proceedings under this subsection shall be conducted in accordance with the Kansas administrative ~~procedures~~ procedure act.

(h) *Control person liability.* A person that controls, directly or indirectly, a person subject to discipline under subsection (d) may be disciplined by order of the administrator under subsections (a) through (c) to the same extent as the noncomplying person, unless the controlling person did not know, and in the exercise of reasonable care could not have known, of the existence of the conduct that is a ground for discipline under this section.

(i) *Limit on investigation or proceeding.* The administrator may not institute a proceeding under subsection (a), (b) or (c) based solely on material facts actually known by the administrator unless an investigation or the proceeding is instituted within one year after the administrator actually acquires knowledge of the material facts.

Sec. 5. K.S.A. 2023 Supp. 38-2203, as amended by section 3 of 2024 House Bill No. 2536, is hereby amended to read as follows: 38-2203. (a) Proceedings concerning any child who may be a child in need of care shall be governed by this code, except in those instances when the court knows or has reason to know that an Indian child is involved in the proceeding, in which case, the Indian child welfare act of 1978, 25 U.S.C. § 1901 et seq., applies. The Indian child welfare act may apply to: The filing to initiate a child in need of care proceeding, K.S.A. 38-2234, and amendments thereto; ex parte custody orders, K.S.A. 38-2242, and amendments thereto; temporary custody hearing, K.S.A. 38-2243, and amendments thereto; adjudication, K.S.A. 38-2247, and amendments thereto; burden of proof, K.S.A. 38-2250, and amendments thereto; disposition, K.S.A. 38-2255, and amendments thereto; permanency hearings, K.S.A. 38-2264, and amendments thereto; termination of parental rights, K.S.A. 38-2267, 38-2268 and 38-2269, and amendments thereto; establishment of permanent custodianship, K.S.A. 38-2268 and 38-2272, and amendments thereto; establishment of SOUL family legal permanency, section 1 of 2024 House Bill No. 2536, and amendments thereto; the

newborn infant protection act, K.S.A. 38-2282, and amendments thereto; the Representative Gail Finney memorial foster care bill of rights, K.S.A. 2023 Supp. 38-2201a, and amendments thereto; the placement of a child in any foster, pre-adoptive and adoptive home and the placement of a child in a guardianship arrangement under article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto.

(b) Subject to the uniform child custody jurisdiction and enforcement act, K.S.A. 23-37,101 through 23-37,405, and amendments thereto, the district court shall have original jurisdiction of proceedings pursuant to this code.

(c) The court acquires jurisdiction over a child by the filing of a petition pursuant to this code or upon issuance of an ex parte order pursuant to K.S.A. 38-2242, and amendments thereto. When the court acquires jurisdiction over a child in need of care, jurisdiction may continue until the child has:

(1) Become 18 years of age, or until June 1 of the school year during which the child became 18 years of age if the child is still attending high school unless there is no court approved transition plan, in which event jurisdiction may continue until a transition plan is approved by the court or until the child reaches ~~the age of 21 years of~~ age;

(2) been adopted;

(3) SOUL family legal permanency as ordered by the court pursuant to section 1 of 2024 House Bill No. 2536, and amendments thereto, and such jurisdiction may continue until the child has reached 18 years of age, or until June 1 of the school year during which the child reached 18 years of age if the child is still attending high school; or

(4) been discharged by the court.

(d) Any child 18 years of age or over may request, in writing to the court, that the jurisdiction of the court cease. The court shall give notice of the request to all parties and interested parties and 30 days after receipt of the request, jurisdiction will cease.

(e) When it is no longer appropriate for the court to exercise jurisdiction over a child, the court, upon its own motion or the motion of a party or interested party at a hearing or upon agreement of all parties or interested parties, shall enter an order discharging the child. Except upon request of the child pursuant to subsection (d), the court shall not enter an order discharging a child until June 1 of the school year during which the child becomes 18 years of age if the child is in an out-of-home placement, is still attending high school and has not completed the child's high school education.

(f) When a petition is filed under this code, a person who is alleged to be under 18 years of age shall be presumed to be under that age for the purposes of this code, unless the contrary is proved.

(g) A court's order issued in a proceeding pursuant to this code, shall take precedence over such orders in a civil custody case, a proceeding under article 31 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, protection from abuse act, or a comparable case in another jurisdiction, except as provided by K.S.A. 23-37,101 through 23-37,405, and amendments thereto, uniform child custody jurisdiction and enforcement act.

(h) If a child is eligible to receive services from the Kansas department for children and families, the department of corrections or the judicial branch, such agencies shall collaborate to provide such services. Nothing in this subsection shall preclude the child from accessing services provided by the Kansas department for children and families, the department of corrections, the judicial branch or any other state agency if the child

is otherwise eligible for the services.

Sec. 6. K.S.A. 2023 Supp. 38-2212, as amended by section 8 of 2023 Senate Bill No. 115, is hereby amended to read as follows: 38-2212. (a) *Principle of appropriate access.* Information contained in confidential agency records concerning a child alleged or adjudicated to be in need of care may be disclosed as provided in this section and shall be disclosed as provided in subsection (e). Disclosure shall in all cases be guided by the principle of providing access only to persons or entities with a need for information that is directly related to achieving the purposes of this code.

(b) *Free exchange of information.* Pursuant to K.S.A. 38-2210, and amendments thereto, the secretary and juvenile intake and assessment agencies shall participate in the free exchange of information concerning a child who is alleged or adjudicated to be in need of care.

(c) *Necessary access.* The following persons or entities shall have access to information from agency records. Access shall be limited to information reasonably necessary to carry out their lawful responsibilities, to maintain their personal safety and the personal safety of individuals in their care, or to educate, diagnose, treat, care for or protect a child alleged to be in need of care. Information authorized to be disclosed pursuant to this subsection shall not contain information that identifies a reporter of a child who is alleged or adjudicated to be a child in need of care.

(1) A child named in the report or records, a guardian ad litem appointed for the child and the child's attorney.

(2) A parent or other person responsible for the welfare of a child, or such person's legal representative.

(3) A court-appointed special advocate for a child, a citizen review board or other advocate that reports to the court.

(4) A person licensed to practice the healing arts or mental health profession in order to diagnose, care for, treat or supervise:

(A) A child whom such service provider reasonably suspects may be in need of care;

(B) a member of the child's family; or

(C) a person who allegedly abused or neglected the child.

(5) A person or entity licensed or registered by the secretary of health and environment or approved by the secretary for children and families to care for, treat or supervise a child in need of care.

(6) A coroner or medical examiner when such person is determining the cause of death of a child.

(7) The state child death review board established under K.S.A. 22a-243, and amendments thereto.

(8) An attorney for a private party who files a petition pursuant to K.S.A. 38-2233(b), and amendments thereto.

(9) A foster parent, prospective foster parent, permanent custodian, prospective permanent custodian, adoptive parent or prospective adoptive parent. In order to assist such persons in making an informed decision regarding acceptance of a particular child, to help the family anticipate problems that may occur during the child's placement, and to help the family meet the needs of the child in a constructive manner, the secretary shall seek and shall provide the following information to such persons as the information becomes available to the secretary:

- (A) Strengths, needs and general behavior of the child;
- (B) circumstances that necessitated placement;
- (C) information about the child's family and the child's relationship to the family that may affect the placement;
- (D) important life experiences and relationships that may affect the child's feelings, behavior, attitudes or adjustment;
- (E) medical history of the child, including third-party coverage that may be available to the child; and
- (F) education history, to include present grade placement, special strengths and weaknesses.

(10) The state protection and advocacy agency as provided by K.S.A. 65-5603(a)(10) or 74-5515(a)(2)(A) and (B), and amendments thereto.

(11) Any educational institution to the extent necessary to enable the educational institution to provide the safest possible environment for its pupils and employees.

(12) Any educator to the extent necessary to enable the educator to protect the personal safety of the educator and the educator's pupils.

(13) The office of the child advocate pursuant to the child advocate act.

(14) Any other federal, state or local government executive branch entity or any agent of such entity, having a need for such information in order to carry out such entity's responsibilities under the law to protect children from abuse and neglect.

(d) *Specified access.* The following persons or entities shall have access to information contained in agency records as specified. Information authorized to be disclosed pursuant to this subsection shall not contain information that identifies a reporter of a child who is alleged or adjudicated to be a child in need of care.

(1) Information from confidential agency records of the Kansas department for children and families, a law enforcement agency or any juvenile intake and assessment worker of a child alleged or adjudicated to be in need of care shall be available to members of the standing house or senate committee on judiciary, house committee on corrections and juvenile justice, house committee on child welfare and foster care, house committee on appropriations, senate committee on ways and means, legislative post audit committee and any joint committee with authority to consider children's and families' issues, when carrying out such member's or committee's official functions in accordance with K.S.A. 75-4319, and amendments thereto, in a closed or executive meeting. Except in limited conditions established by $\frac{2}{3}$ of the members of such committee, records and reports received by the committee shall not be further disclosed. Unauthorized disclosure may subject such member to discipline or censure from the house of representatives or senate. The secretary for children and families shall not summarize the outcome of department actions regarding a child alleged to be a child in need of care in information available to members of such committees.

(2) The secretary for children and families may summarize the outcome of department actions regarding a child alleged to be a child in need of care to a person having made such report.

(3) Information from confidential reports or records of a child alleged or adjudicated to be a child in need of care may be disclosed to the public when:

(A) The individuals involved or their representatives have given express written consent; or

(B) the investigation of the abuse or neglect of the child or the filing of a petition

alleging a child to be in need of care has become public knowledge, ~~provided, however,~~ except that the agency shall limit disclosure to confirmation of procedural details relating to the handling of the case by professionals.

(e) *Law enforcement access.* The secretary shall disclose confidential agency records of a child alleged or adjudicated to be a child in need of care, as described in K.S.A. 38-2209, and amendments thereto, to the law enforcement agency investigating the alleged or substantiated report or investigation of abuse or neglect, regardless of the disposition of such report or investigation. Such records shall include, but not be limited to, any information regarding such report or investigation, records of past reports or investigations concerning such child and such child's siblings and the perpetrator or alleged perpetrator and the name and contact information of the reporter or persons alleging abuse or neglect and case managers, investigators or contracting entity employees assigned to or investigating such report. Such records shall only be used for the purposes of investigating the alleged or substantiated report or investigation of abuse or neglect.

(f) *Court order.* Notwithstanding the provisions of this section, a court of competent jurisdiction, after in camera inspection, may order disclosure of confidential agency records pursuant to a determination that the disclosure is in the best interests of the child who is the subject of the reports or that the records are necessary for the proceedings of the court. The court shall specify the terms of disclosure and impose appropriate limitations.

(g) (1) Notwithstanding any other provision of law to the contrary, except as provided in paragraph (6), in the event that child abuse or neglect results in a child fatality or near fatality, reports or records of a child alleged or adjudicated to be in need of care received by the secretary, a law enforcement agency or any juvenile intake and assessment worker shall become a public record and subject to disclosure pursuant to K.S.A. 45-215, and amendments thereto.

(2) Within seven days of receipt of a request in accordance with the procedures adopted under K.S.A. 45-220, and amendments thereto, the secretary shall notify any affected individual that an open records request has been made concerning such records. The secretary or any affected individual may file a motion requesting the court to prevent disclosure of such record or report, or any select portion thereof. Notice of the filing of such motion shall be provided to all parties requesting the records or reports, and such party or parties shall have a right to hearing, upon request, prior to the entry of any order on such motion. If the affected individual does not file such motion within seven days of notification, and the secretary has not filed a motion, the secretary shall release the reports or records. If such motion is filed, the court shall consider the effect such disclosure may have upon an ongoing criminal investigation, a pending prosecution, or the privacy of the child, if living, or the child's siblings, parents or guardians, and the public's interest in the disclosure of such records or reports. The court shall make written findings on the record justifying the closing of the records and shall provide a copy of the journal entry to the affected parties and the individual requesting disclosure pursuant to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto.

(3) Notwithstanding the provisions of paragraph (2), in the event that child abuse or neglect results in a child fatality or criminal charges are filed with a court alleging that a person caused a child fatality, the secretary shall release the following information in

response to an open records request made pursuant to the Kansas open records act, within seven business days of receipt of such request, as allowed by applicable law:

- (A) Age and sex of the child;
- (B) date of the fatality;
- (C) a summary of any previous reports of abuse or neglect received by the secretary involving the child, along with the findings of such reports; and
- (D) any department recommended services provided to the child.

(4) Notwithstanding the provisions of paragraph (2), in the event that a child fatality occurs while such child was in the custody of the secretary for children and families, the secretary shall release the following information in response to an open records request made pursuant to the Kansas open records act, within seven business days of receipt of such request, as allowed by applicable law:

- (A) Age and sex of the child;
- (B) date of the fatality; and
- (C) a summary of the facts surrounding the death of the child.

(5) For reports or records requested pursuant to this subsection, the time limitations specified in this subsection shall control to the extent of any inconsistency between this subsection and K.S.A. 45-218, and amendments thereto. As used in this section, "near fatality" means an act that, as certified by a person licensed to practice medicine and surgery, places the child in serious or critical condition.

(6) Nothing in this subsection shall allow the disclosure of reports, records or documents concerning the child and such child's biological parents that were created prior to such child's adoption. Nothing herein is intended to require that an otherwise privileged communication lose its privileged character.

Sec. 7. K.S.A. 2023 Supp. 38-2243 is hereby amended to read as follows: 38-2243.

(a) Upon notice and hearing, the court may issue an order directing who shall have temporary custody and may modify the order during the pendency of the proceedings as will best serve the child's welfare.

(b) A hearing pursuant to this section shall be held within 72 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, following a child having been taken into protective custody.

(c) Whenever it is determined that a temporary custody hearing is required, the court shall immediately set the time and place for the hearing. Notice of a temporary custody hearing shall be given to all parties and interested parties.

(d) Notice of the temporary custody hearing shall be given at least 24 hours prior to the hearing. The court may continue the hearing to afford the 24 hours prior notice or, with the consent of the party or interested party, proceed with the hearing at the designated time. If an order of temporary custody is entered and the parent or other person having custody of the child has not been notified of the hearing, did not appear or waive appearance and requests a rehearing, the court shall rehear the matter without unnecessary delay.

(e) Oral notice may be used for giving notice of a temporary custody hearing where there is insufficient time to give written notice. Oral notice is completed upon filing a certificate of oral notice.

(f) The court may enter an order of temporary custody after determining there is probable cause to believe that the:

- (1) Child is dangerous to self or to others;

(2) child is not likely to be available within the jurisdiction of the court for future proceedings;

(3) health or welfare of the child may be endangered without further care;

(4) child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 21-6422, and amendments thereto;

(5) child is experiencing a ~~mental~~ behavioral health crisis and is in need of treatment; or

(6) child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 21-6419, and amendments thereto.

(g) (1) Whenever the court determines the necessity for an order of temporary custody the court may place the child in the temporary custody of:

(A) A parent or other person having custody of the child and may enter a restraining order pursuant to subsection (h);

(B) a person, other than the parent or other person having custody, who shall not be required to be licensed under article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(C) a youth residential facility;

(D) a shelter facility;

(E) a staff secure facility, notwithstanding any other provision of law, if the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 21-6422, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 21-6419, and amendments thereto;

(F) after written authorization by a community mental health center, a juvenile crisis intervention center, as described in K.S.A. 65-536, and amendments thereto; or

(G) the secretary, if the child is 15 years of age or younger, or 16 or 17 years of age if the child has no identifiable parental or family resources or shows signs of physical, mental, emotional or sexual abuse.

(2) If the secretary presents the court with a plan to provide services to a child or family which the court finds will assure the safety of the child, the court may only place the child in the temporary custody of the secretary until the court finds the services are in place. The court shall have the authority to require any person or entity agreeing to participate in the plan to perform as set out in the plan. When the child is placed in the temporary custody of the secretary, the secretary shall have the discretionary authority to place the child with a parent or to make other suitable placement for the child. When the child is placed in the temporary custody of the secretary and the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 21-6422, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 21-6419, and amendments thereto, the secretary shall have the discretionary authority to place the child in a staff secure facility, notwithstanding any other provision of law. When the child is presently alleged, but not yet adjudicated to be a child in need of care solely pursuant to K.S.A. 38-2202(d)(9) or (d)(10), and amendments thereto, the child may be placed in a secure facility, but the total amount of time that the child may be held in

such facility under this section and K.S.A. 38-2242, and amendments thereto, shall not exceed 24 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible. The order of temporary custody shall remain in effect until modified or rescinded by the court or an adjudication order is entered but not exceeding 60 days, unless good cause is shown and stated on the record.

(h) If the court issues an order of temporary custody, the court may also enter an order restraining any alleged perpetrator of physical, sexual, mental or emotional abuse of the child from residing in the child's home; visiting, contacting, harassing or intimidating the child; or attempting to visit, contact, harass or intimidate the child, other family members or witnesses. Such restraining order shall be served by personal service pursuant to K.S.A. 38-2237(a), and amendments thereto, on any alleged perpetrator to whom the order is directed.

(i) (1) The court shall not enter the initial order removing a child from the custody of a parent pursuant to this section unless the court first finds probable cause that:

(A) (i) The child is likely to sustain harm if not immediately removed from the home;

(ii) allowing the child to remain in home is contrary to the welfare of the child; or

(iii) immediate placement of the child is in the best interest of the child; and

(B) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety to the child.

(2) Such findings shall be included in any order entered by the court. If the child is placed in the custody of the secretary, upon making the order the court shall provide the secretary with a written copy.

(j) If the court enters an order of temporary custody that provides for placement of the child with a person other than the parent, the court shall make a child support determination pursuant to K.S.A. 38-2277, and amendments thereto.

(k) For the purposes of this section, "harassing or intimidating" and "harass or intimidate" includes, but is not limited to, utilizing any electronic tracking system or acquiring tracking information to determine the targeted person's location, movement or travel patterns.

Sec. 8. K.S.A. 44-706, as amended by section 12 of 2024 House Bill No. 2760, is hereby amended to read as follows: 44-706. The secretary shall examine whether an individual has separated from employment for each week claimed. The secretary shall apply the provisions of this section to the individual's most recent employment prior to the week claimed. An individual shall be disqualified for benefits:

(a) If the individual left work voluntarily without good cause attributable to the work or the employer, subject to the other provisions of this subsection. For purposes of this subsection, "good cause" is cause of such gravity that would impel a reasonable, not supersensitive, individual exercising ordinary common sense to leave employment. Good cause requires a showing of good faith of the individual leaving work, including the presence of a genuine desire to work. Failure to return to work after expiration of approved personal or medical leave, or both, shall be considered a voluntary resignation. After a temporary job assignment, failure of an individual to affirmatively request an additional assignment on the next succeeding workday, if required by the employment agreement, after completion of a given work assignment, shall constitute leaving work voluntarily. The disqualification shall begin the day following the

separation and shall continue until after the individual has become reemployed and has had earnings from insured work of at least three times the individual's weekly benefit amount. An individual shall not be disqualified under this subsection if:

(1) The individual was forced to leave work because of illness or injury upon the advice of a licensed and practicing healthcare provider and, upon learning of the necessity for absence, immediately notified the employer thereof, or the employer consented to the absence, and after recovery from the illness or injury, when recovery was certified by a practicing health care provider, the individual returned to the employer and offered to perform services and the individual's regular work or comparable and suitable work was not available. As used in this paragraph "healthcare provider" means any person licensed by the proper licensing authority of any state to engage in the practice of medicine and surgery, osteopathy, chiropractic, dentistry, optometry, podiatry or psychology;

(2) the individual left temporary work to return to the regular employer;

(3) the individual left work to enter active service in the armed forces of the United States but was rejected or delayed from entry;

(4) The spouse of an individual who is a member of the armed forces of the United States who left work because of the voluntary or involuntary transfer of the individual's spouse from one job to another job that is for the same employer or for a different employer, at a geographic location that makes it unreasonable for the individual to continue work at the individual's job. For the purposes of this provision "member of the armed forces" means a person performing active service in the army, navy, marine corps, air force, space force, coast guard or any component of the military reserves of the United States;

(5) the individual left work because of hazardous working conditions; in determining whether or not working conditions are hazardous for an individual, the degree of risk involved to the individual's health, safety and morals, the individual's physical fitness and prior training and the working conditions of workers engaged in the same or similar work for the same and other employers in the locality shall be considered; as used in this paragraph, "hazardous working conditions" means working conditions that could result in a danger to the physical or mental well-being of the individual; each determination as to whether hazardous working conditions exist shall include, but shall not be limited to, a consideration of: (A) The safety measures used or the lack thereof; and (B) the condition of equipment or lack of proper equipment; no work shall be considered hazardous if the working conditions surrounding the individual's work are the same or substantially the same as the working conditions generally prevailing among individuals performing the same or similar work for other employers engaged in the same or similar type of activity;

(6) the individual left work to enter training approved under section 236(a)(1) of the federal trade act of 1974, provided the work left is not of a substantially equal or higher skill level than the individual's past adversely affected employment, as defined for purposes of the federal trade act of 1974, and wages for such work are not less than 80% of the individual's average weekly wage as determined for the purposes of the federal trade act of 1974;

(7) the individual left work because of unwelcome harassment of the individual by the employer or another employee of which the employing unit had knowledge and that would impel the average worker to give up such worker's employment;

(8) the individual left work to accept better work; each determination as to whether or not the work accepted is better work shall include, but shall not be limited to, consideration of: (A) The rate of pay, the hours of work and the probable permanency of the work left as compared to the work accepted; (B) the cost to the individual of getting to the work left in comparison to the cost of getting to the work accepted; and (C) the distance from the individual's place of residence to the work accepted in comparison to the distance from the individual's residence to the work left;

(9) the individual left work as a result of being instructed or requested by the employer, a supervisor or a fellow employee to perform a service or commit an act in the scope of official job duties that is in violation of an ordinance or statute;

(10) the individual left work because of a substantial violation of the work agreement by the employing unit and, before the individual left, the individual had exhausted all remedies provided in such agreement for the settlement of disputes before terminating. For the purposes of this paragraph, a demotion based on performance does not constitute a violation of the work agreement;

(11) after making reasonable efforts to preserve the work, the individual left work due to a personal emergency of such nature and compelling urgency that it would be contrary to good conscience to impose a disqualification; or

(12) (A) the individual left work due to circumstances resulting from domestic violence, including:

(i) The individual's reasonable fear of future domestic violence at or en route to or from the individual's place of employment;

(ii) the individual's need to relocate to another geographic area in order to avoid future domestic violence;

(iii) the individual's need to address the physical, psychological and legal impacts of domestic violence;

(iv) the individual's need to leave employment as a condition of receiving services or shelter from an agency that provides support services or shelter to victims of domestic violence; or

(v) the individual's reasonable belief that termination of employment is necessary to avoid other situations that may cause domestic violence and to provide for the future safety of the individual or the individual's family.

(B) An individual may prove the existence of domestic violence by providing one of the following:

(i) A restraining order or other documentation of equitable relief by a court of competent jurisdiction;

(ii) a police record documenting the abuse;

(iii) documentation that the abuser has been convicted of one or more of the offenses enumerated in articles 34 and 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54 or 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 21-6104, 21-6325, 21-6326 or 21-6418 through 21-6422, and amendments thereto, where the victim was a family or household member;

(iv) medical documentation of the abuse;

(v) a statement provided by a counselor, social worker, health care provider, clergy, shelter worker, legal advocate, domestic violence or sexual assault advocate or other professional who has assisted the individual in dealing with the effects of abuse on the individual or the individual's family; or

(vi) a sworn statement from the individual attesting to the abuse.

(C) No evidence of domestic violence experienced by an individual, including the individual's statement and corroborating evidence, shall be disclosed by the department of labor unless consent for disclosure is given by the individual.

(b) If the individual has been discharged or suspended for misconduct connected with the individual's work. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and in cases where the disqualification is due to discharge for misconduct has had earnings from insured work of at least three times the individual's determined weekly benefit amount, except that if an individual is discharged for gross misconduct connected with the individual's work, such individual shall be disqualified for benefits until such individual again becomes employed and has had earnings from insured work of at least eight times such individual's determined weekly benefit amount. In addition, all wage credits attributable to the employment from which the individual was discharged for gross misconduct connected with the individual's work shall be canceled. No such cancellation of wage credits shall affect prior payments made as a result of a prior separation.

(1) As used in this subsection, "misconduct" means a violation of a duty or obligation reasonably owed the employer as a condition of employment including, but not limited to, a violation of a company rule, including a safety rule, if: (A) The individual knew or should have known about the rule; (B) the rule was lawful and reasonably related to the job; and (C) the rule was fairly and consistently enforced.

(2) (A) Failure of the employee to notify the employer of an absence and an individual's leaving work prior to the end of such individual's assigned work period without permission shall be considered prima facie evidence of a violation of a duty or obligation reasonably owed the employer as a condition of employment.

(B) For the purposes of this subsection, misconduct shall include, but not be limited to, violation of the employer's reasonable attendance expectations if the facts show:

- (i) The individual was absent or tardy without good cause;
- (ii) the individual had knowledge of the employer's attendance expectation; and
- (iii) the employer gave notice to the individual that future absence or tardiness may or will result in discharge.

(C) For the purposes of this subsection, if an employee disputes being absent or tardy without good cause, the employee shall present evidence that a majority of the employee's absences or tardiness were for good cause. If the employee alleges that the employee's repeated absences or tardiness were the result of health related issues, such evidence shall include documentation from a licensed and practicing healthcare provider as defined in subsection (a)(1).

(3) (A) The term "gross misconduct" as used in this subsection shall be construed to mean conduct evincing extreme, willful or wanton misconduct as defined by this subsection. Gross misconduct shall include, but not be limited to: (i) Theft; (ii) fraud; (iii) intentional damage to property; (iv) intentional infliction of personal injury; or (v) any conduct that constitutes a felony.

(B) For the purposes of this subsection, the following shall be conclusive evidence of gross misconduct:

- (i) The use of alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

- (ii) the impairment caused by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;
- (iii) a positive breath alcohol test or a positive chemical test, if:
 - (a) The test was either:
 - (1) Required by law and was administered pursuant to the drug free workplace act, 41 U.S.C. § 701 et seq.;
 - (2) administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;
 - (3) requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment;
 - (4) required by law and the test constituted a required condition of employment for the individual's job; or
 - (5) there was reasonable suspicion to believe that the individual used, had possession of, or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;
 - (b) the test sample was collected either:
 - (1) As prescribed by the drug free workplace act, 41 U.S.C. § 701 et seq.;
 - (2) as prescribed by an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;
 - (3) as prescribed by the written policy of the employer of which the employee had knowledge and that constituted a required condition of employment;
 - (4) as prescribed by a test that was required by law and which constituted a required condition of employment for the individual's job; or
 - (5) at a time contemporaneous with the events establishing probable cause;
 - (c) the collecting and labeling of a chemical test sample was performed by a licensed health care professional or any other individual certified pursuant to paragraph (b)(3)(A)(iii)(f) or authorized to collect or label test samples by federal or state law, or a federal or state rule or regulation having the force or effect of law, including law enforcement personnel;
 - (d) the chemical test was performed by a laboratory approved by the United States department of health and human services or licensed by the department of health and environment, except that a blood sample may be tested for alcohol content by a laboratory commonly used for that purpose by state law enforcement agencies;
 - (e) the chemical test was confirmed by gas chromatography, gas chromatography-mass spectroscopy or other comparably reliable analytical method, except that no such confirmation is required for a blood alcohol sample or a breath alcohol test;
 - (f) the breath alcohol test was administered by an individual trained to perform breath tests, the breath testing instrument used was certified and operated strictly according to a description provided by the manufacturers and the reliability of the instrument performance was assured by testing with alcohol standards; and
 - (g) the foundation evidence establishes, beyond a reasonable doubt, that the test results were from the sample taken from the individual;
- (iv) an individual's refusal to submit to a chemical test or breath alcohol test, if:
 - (a) The test meets the standards of the drug free workplace act, 41 U.S.C. § 701 et seq.;

(b) the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(c) the test was otherwise required by law and the test constituted a required condition of employment for the individual's job;

(d) the test was requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment; or

(e) there was reasonable suspicion to believe that the individual used, possessed or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working; and

(v) an individual's dilution or other tampering of a chemical test.

(C) For purposes of this subsection:

(i) "Alcohol concentration" means the number of grams of alcohol per 210 liters of breath;

(ii) "alcoholic liquor" means the same as defined in K.S.A. 41-102, and amendments thereto;

(iii) "cereal malt beverage" means the same as defined in K.S.A. 41-2701, and amendments thereto;

(iv) "chemical test" includes, but is not limited to, tests of urine, blood or saliva;

(v) "controlled substance" means the same as defined in K.S.A. 21-5701, and amendments thereto;

(vi) "required by law" means required by a federal or state law, a federal or state rule or regulation having the force and effect of law, a county resolution or municipal ordinance, or a policy relating to public safety adopted in an open meeting by the governing body of any special district or other local governmental entity;

(vii) "positive breath test" means a test result showing an alcohol concentration of 0.04 or greater, or the levels listed in 49 C.F.R. part 40, if applicable, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" means a test result showing an alcohol concentration at or above the levels provided for in the assistance or treatment program; and

(viii) "positive chemical test" means a chemical result showing a concentration at or above the levels listed in K.S.A. 44-501, and amendments thereto, or 49 C.F.R. part 40, as applicable, for the drugs or abuse listed therein, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" means a chemical result showing a concentration at or above the levels provided for in the assistance or treatment program.

(4) An individual shall not be disqualified under this subsection if the individual is discharged under the following circumstances:

(A) The employer discharged the individual after learning the individual was seeking other work or when the individual gave notice of future intent to quit, except that the individual shall be disqualified after the time that such individual intended to quit and any individual who commits misconduct after such individual gives notice to such individual's intent to quit shall be disqualified;

(B) the individual was making a good faith effort to do the assigned work but was

discharged due to:

- (i) Inefficiency;
- (ii) unsatisfactory performance due to inability, incapacity or lack of training or experience;
- (iii) isolated instances of ordinary negligence or inadvertence;
- (iv) good faith errors in judgment or discretion; or
- (v) unsatisfactory work or conduct due to circumstances beyond the individual's control; or

(C) the individual's refusal to perform work in excess of the contract of hire.

(c) If the individual has failed, without good cause, to either apply for suitable work when so directed by the employment office of the secretary of labor, or to accept suitable work when offered to the individual by the employment office, the secretary of labor, or an employer, such disqualification shall begin with the week in which such failure occurred and shall continue until the individual becomes reemployed and has had earnings from insured work of at least three times such individual's determined weekly benefit amount. In determining whether or not any work is suitable for an individual, the secretary of labor, or a person or persons designated by the secretary, shall consider the degree of risk involved to health, safety and morals, physical fitness and prior training, experience and prior earnings, length of unemployment and prospects for securing local work in the individual's customary occupation or work for which the individual is reasonably fit by training or experience, and the distance of the available work from the individual's residence. Notwithstanding any other provisions of this act, an otherwise eligible individual shall not be disqualified for refusing an offer of suitable employment, or failing to apply for suitable employment when notified by an employment office, or for leaving the individual's most recent work accepted during approved training, including training approved under section 236(a)(1) of the trade act of 1974, if the acceptance of or applying for suitable employment or continuing such work would require the individual to terminate approved training and no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(1) If the position offered is vacant due directly to a strike, lockout or other labor dispute;

(2) if the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

(3) if as a condition of being employed, the individual would be required to join or to resign from or refrain from joining any labor organization; and

(4) if the individual left employment as a result of domestic violence, and the position offered does not reasonably accommodate the individual's physical, psychological, safety, or legal needs relating to such domestic violence.

(d) For any week with respect to which the secretary of labor, or a person or persons designated by the secretary, finds that the individual's unemployment is due to a stoppage of work that exists because of a labor dispute or there would have been a work stoppage had normal operations not been maintained with other personnel previously and currently employed by the same employer at the factory, establishment or other premises at which the individual is or was last employed, except that this subsection (d) shall not apply if it is shown to the satisfaction of the secretary of labor, or a person or

persons designated by the secretary, that:

(1) The individual is not participating in or financing or directly interested in the labor dispute that caused the stoppage of work; and

(2) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises where the stoppage occurs any of whom are participating in or financing or directly interested in the dispute. If in any case separate branches of work that are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purpose of this subsection be deemed to be a separate factory, establishment or other premises. For the purposes of this subsection, failure or refusal to cross a picket line or refusal for any reason during the continuance of such labor dispute to accept the individual's available and customary work at the factory, establishment or other premises where the individual is or was last employed shall be considered as participation and interest in the labor dispute.

(e) For any week or a part of the week in which the individual has received or is seeking unemployment benefits under the unemployment compensation law of any other state or of the United States, except that if the appropriate agency of such other state or the United States finally determines that the individual is not entitled to such unemployment benefits, this disqualification shall not apply.

(f) For any week in which the individual is entitled to receive any unemployment allowance or compensation granted by the United States under an act of congress to former members of the armed forces in recognition of former service with the military, naval, air or space services of the United States.

(g) If the individual, or another in such individual's behalf with the knowledge of the individual, has knowingly made a false statement or representation, or has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor, unless the individual has repaid the full amount of the overpayment as determined by the secretary or the secretary's designee, including, but not limited to, the total amount of money erroneously paid as benefits or unlawfully obtained, interest, penalties and any other costs or fees provided by law. If the individual has made such repayment, the individual shall be disqualified for a period of one year for the first occurrence or five years for any subsequent occurrence, beginning with the first day following the date the department of labor confirmed the individual has successfully repaid the full amount of the overpayment. In addition to the penalties set forth in K.S.A. 44-719, and amendments thereto, an individual who has knowingly made a false statement or representation or who has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor shall be liable for a penalty in the amount equal to 25% of the amount of benefits unlawfully received. Notwithstanding any other provision of law, such penalty shall be deposited into the employment security trust fund. No person who is a victim of identify theft shall be subject to the provisions of this subsection. The secretary shall investigate all cases of an alleged false statement or representation or failure to disclose a material fact to ensure no victim of identity theft is disqualified, required to repay or subject to any penalty as provided by this subsection as a result of identity theft.

(h) For any week in which the individual is receiving compensation for temporary total disability or permanent total disability under the workmen's compensation law of any state or under a similar law of the United States.

(i) For any week of unemployment on the basis of service in an instructional, research or principal administrative capacity for an educational institution as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or terms or, when an agreement provides instead for a similar period between two regular but not successive terms during such period or during a period of paid sabbatical leave provided for in the individual's contract, if the individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms.

(j) For any week of unemployment on the basis of service in any capacity other than service in an instructional, research, or administrative capacity in an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or terms if the individual performs such services in the first of such academic years or terms and there is a reasonable assurance that the individual will perform such services in the second of such academic years or terms, except that if benefits are denied to the individual under this subsection and the individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and such benefits were denied solely by reason of this subsection.

(k) For any week of unemployment on the basis of service in any capacity for an educational institution as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during an established and customary vacation period or holiday recess, if the individual performs services in the period immediately before such vacation period or holiday recess and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(l) For any week of unemployment on the basis of any services, consisting of participating in sports or athletic events or training or preparing to so participate, if such week begins during the period between two successive sport seasons or similar period if such individual performed services in the first of such seasons or similar periods and there is a reasonable assurance that such individual will perform such services in the later of such seasons or similar periods.

(m) For any week on the basis of services performed by an alien unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the federal immigration and nationality act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case

of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of such individual's alien status shall be made except upon a preponderance of the evidence.

(n) For any week in which an individual is receiving a governmental or other pension, retirement or retired pay, annuity or other similar periodic payment under a plan maintained by a base period employer and to which the entire contributions were provided by such employer, except that:

(1) If the entire contributions to such plan were provided by the base period employer but such individual's weekly benefit amount exceeds such governmental or other pension, retirement or retired pay, annuity or other similar periodic payment attributable to such week, the weekly benefit amount payable to the individual shall be reduced, but not below zero, by an amount equal to the amount of such pension, retirement or retired pay, annuity or other similar periodic payment that is attributable to such week; or

(2) if only a portion of contributions to such plan were provided by the base period employer, the weekly benefit amount payable to such individual for such week shall be reduced, but not below zero, by the prorated weekly amount of the pension, retirement or retired pay, annuity or other similar periodic payment after deduction of that portion of the pension, retirement or retired pay, annuity or other similar periodic payment that is directly attributable to the percentage of the contributions made to the plan by such individual; or

(3) if the entire contributions to the plan were provided by such individual, or by the individual and an employer, or any person or organization, who is not a base period employer, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection; or

(4) whatever portion of contributions to such plan were provided by the base period employer, if the services performed for the employer by such individual during the base period, or remuneration received for the services, did not affect the individual's eligibility for, or increased the amount of, such pension, retirement or retired pay, annuity or other similar periodic payment, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection. No reduction shall be made for payments made under the social security act or railroad retirement act of 1974.

(o) For any week of unemployment on the basis of services performed in any capacity and under any of the circumstances described in subsection (i), (j) or (k) that an individual performed in an educational institution while in the employ of an educational service agency. For the purposes of this subsection, the term "educational service agency" means a governmental agency or entity that is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(p) For any week of unemployment on the basis of service as a school bus or other motor vehicle driver employed by a private contractor to transport pupils, students and school personnel to or from school-related functions or activities for an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or during a similar period between two regular terms, whether or not successive, if the individual has a contract or contracts, or a reasonable assurance thereof, to perform services in any such

capacity with a private contractor for any educational institution for both such academic years or both such terms. An individual shall not be disqualified for benefits as provided in this subsection for any week of unemployment:

(1) That the individual is a participating employee in a short-term compensation program established pursuant to K.S.A. 44-757, and amendments thereto; or

(2) on the basis of service as a bus or other motor vehicle driver employed by a private contractor to transport persons to or from nonschool-related functions or activities.

(q) For any week of unemployment on the basis of services performed by the individual in any capacity and under any of the circumstances described in subsection (i), (j), (k) or (o) that are provided to or on behalf of an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, while the individual is in the employ of an employer that is a governmental entity, Indian tribe or any employer described in section 501(c)(3) of the federal internal revenue code of 1986 that is exempt from income under section 501(a) of the code.

(r) For any week in which an individual is registered at and attending an established school, training facility or other educational institution, or is on vacation during or between two successive academic years or terms. An individual shall not be disqualified for benefits as provided in this subsection if:

(1) The individual was engaged in full-time employment concurrent with the individual's school attendance;

(2) the individual is attending approved training as defined in K.S.A. 44-703(s), and amendments thereto; or

(3) the individual is attending evening, weekend or limited day time classes that would not affect availability for work, and is otherwise eligible under K.S.A. 44-705(c), and amendments thereto.

(s) For any week in which an individual is receiving or has received remuneration in the form of a back pay award or settlement. The remuneration shall be allocated to the week or weeks in the manner as specified in the award or agreement, or in the absence of such specificity in the award or agreement, such remuneration shall be allocated to the week or weeks for which such remuneration, in the judgment of the secretary, would have been paid.

(1) For any such weeks that an individual receives remuneration in the form of a back pay award or settlement, an overpayment will be established in the amount of unemployment benefits paid and shall be collected from the claimant.

(2) If an employer chooses to withhold from a back pay award or settlement, amounts paid to a claimant while they claimed unemployment benefits, such employer shall pay the department the amount withheld. With respect to such amount, the secretary shall have available all of the collection remedies authorized or provided in K.S.A. 44-717, and amendments thereto.

(t) (1) Any applicant for or recipient of unemployment benefits who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary of labor, secretary of commerce or secretary for children and families, and a job skills program approved by the secretary of labor, secretary of commerce or the secretary for children and families. Subject to applicable federal laws, any applicant for or recipient of unemployment benefits who fails to complete or refuses to participate in the

substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive unemployment benefits until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of unemployment benefits may be subject to periodic drug screening, as determined by the secretary of labor. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or recipient of unemployment benefits shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from unemployment benefits for a period of 12 months, or until such applicant for or recipient of unemployment benefits completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or a recipient of unemployment benefits shall be terminated from receiving unemployment benefits, subject to applicable federal law.

(2) Any individual who has been discharged or refused employment for failing a preemployment drug screen required by an employer may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any such individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening.

(u) If the individual was found not to have a disqualifying adjudication or conviction under K.S.A. 39-970 or 65-5117, and amendments thereto, was hired and then was subsequently convicted of a disqualifying felony under K.S.A. 39-970 or 65-5117, and amendments thereto, and discharged pursuant to K.S.A. 39-970 or 65-5117, and amendments thereto. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and has had earnings from insured work of at least three times the individual's determined weekly benefit amount.

(v) Notwithstanding the provisions of any subsection, an individual shall not be disqualified for such week of part-time employment in a substitute capacity for an educational institution if such individual's most recent employment prior to the individual's benefit year begin date was for a non-educational institution and such individual demonstrates application for work in such individual's customary occupation or for work for which the individual is reasonably fit by training or experience.

Sec. 9. K.S.A. 2023 Supp. 65-536 is hereby amended to read as follows: 65-536.

(a) A juvenile crisis intervention center is a facility that provides short-term observation, assessment, treatment and case planning, and referral for any juvenile who is experiencing a behavioral health crisis and is likely to cause harm to self or others. Such centers shall:

(1) Address or ensure access to the broad range of services to meet the needs of a juvenile admitted to the center, including, but not limited to, medical, psychiatric, psychological, social, educational and substance abuse-related services;

(2) not include construction features designed to physically restrict the movements and activities of juveniles, but shall have a design, structure, interior and exterior environment, and furnishings to promote a safe, comfortable and therapeutic environment for juveniles admitted to the center;

(3) implement written policies and procedures that include the use of a combination of supervision, inspection and accountability to promote safe and orderly operations;

and

(4) implement written policies and procedures for staff monitoring of all center entrances and exits.

(b) A juvenile crisis intervention center shall provide treatment to juveniles admitted to such center, as appropriate while admitted.

(c) A juvenile crisis intervention center may be on the same premises as that of another licensed facility. If the juvenile crisis intervention center is on the same premises as that of another licensed facility, the living unit of the juvenile crisis intervention center shall be maintained in a separate, self-contained unit. No juvenile crisis intervention center shall be in a city or county jail or a juvenile detention facility.

(d) (1) A juvenile may be admitted to a juvenile crisis intervention center when:

(A) The head of such center determines such juvenile is in need of treatment and likely to cause harm to self or others;

(B) a qualified mental health professional from a community mental health center has given written authorization for such juvenile to be admitted to a juvenile crisis intervention center; and

(C) no other more appropriate treatment services are available and accessible to the juvenile at the time of admission.

(2) A juvenile may be admitted to a juvenile crisis intervention center for not more than 30 days. A parent with legal custody or legal guardian of a juvenile placed in a juvenile crisis intervention center may remove such juvenile from the center at any time. If the removal may cause the juvenile to become a child in need of care pursuant to K.S.A. 38-2202(d), and amendments thereto, the head of a juvenile crisis intervention center may report such concerns to the department for children and families or law enforcement or may request the county or district attorney to initiate proceedings pursuant to the revised Kansas code for care of children. If the head of a juvenile crisis intervention center determines the most appropriate action is to request the county or district attorney to initiate proceedings pursuant to the revised Kansas code for care of children, the head of such center shall make such request and shall keep such juvenile in the center for an additional 24-hour period to initiate the appropriate proceedings.

(3) When a juvenile is released from a juvenile crisis intervention center, the managed care organization, if the juvenile is a medicaid recipient, and the community mental health center serving the area where the juvenile is being discharged shall be involved with discharge planning. Within seven days prior to the discharge of a juvenile, the head of the juvenile crisis intervention center shall give written notice of the date and time of the discharge to the patient, the managed care organization, if the juvenile is a medicaid recipient, and the community mental health center serving the area where the juvenile is being discharged, and the patient's parent, custodian or legal guardian.

(e) (1) Upon admission to a juvenile crisis intervention center, and if the juvenile is a medicaid recipient, the managed care organization shall approve services as recommended by the head of the juvenile crisis intervention center. Within 14 days after admission, the head of the juvenile crisis intervention center shall develop a plan of treatment for the juvenile in collaboration with the managed care organization.

(2) Nothing in this subsection shall prohibit the department of health and environment from administering or reimbursing state medicaid services to any juvenile admitted to a juvenile crisis intervention center pursuant to a waiver granted under section 1915(c) of the

federal social security act, provided that such services are not administered through a managed care delivery system.

(3) Nothing in this subsection shall prohibit the department of health and environment from reimbursing any state medicaid services that qualify for reimbursement and that are provided to a juvenile admitted to a juvenile crisis intervention center.

(4) Nothing in this subsection shall impair or otherwise affect the validity of any contract in existence on July 1, 2018, between a managed care organization and the department of health and environment to provide state medicaid services.

(5) On or before January 1, 2019, the secretary of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement this subsection.

(f) The secretary for children and families, in consultation with the attorney general, shall promulgate rules and regulations to implement the provisions of this section on or before January 1, 2019.

(g) The secretary for children and families shall annually report information on outcomes of juveniles admitted into juvenile crisis intervention centers to the J. Russell (Russ) Jennings joint committee on corrections and juvenile justice oversight, the corrections and juvenile justice committee of the house of representatives and the judiciary committee of the senate. Such report shall include:

(1) The number of admissions, releases and the lengths of stay for juveniles admitted to juvenile crisis intervention centers;

(2) services provided to juveniles admitted;

(3) needs of juveniles admitted determined by evidence-based assessment; and

(4) success and recidivism rates, including information on the reduction of involvement of the child welfare system and juvenile justice system with the juvenile.

(h) The secretary of corrections may enter into memorandums of agreement with other cabinet agencies to provide funding, not to exceed \$2,000,000 annually, from the evidence-based programs account of the state general fund or other available appropriations for juvenile crisis intervention services.

(i) For the purposes of this section:

(1) "Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a juvenile, members of the juvenile's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns;

(2) "head of a juvenile crisis intervention center" means the administrative director of a juvenile crisis intervention center or such person's designee;

(3) "juvenile" means a person who is less than 18 years of age;

(4) "likely to cause harm to self or others" means that a juvenile, by reason of the juvenile's behavioral health condition, mental disorder or mental condition is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage;

(5) "treatment" means any service intended to promote the mental health of the patient and rendered by a qualified professional, licensed or certified by the state to provide such service as an independent practitioner or under the supervision of such practitioner; and

(6) "qualified mental health professional" means a physician or psychologist who is employed by a participating mental health center or who is providing services as a physician or psychologist under a contract with a participating mental health center, a licensed masters level psychologist, a licensed clinical psychotherapist, a licensed marriage and family therapist, a licensed clinical marriage and family therapist, a licensed professional counselor, a licensed clinical professional counselor, a licensed specialist social worker or a licensed master social worker or a registered nurse who has a specialty in psychiatric nursing, who is employed by a participating mental health center and who is acting under the direction of a physician or psychologist who is employed by, or under contract with, a participating mental health center.

(j) This section shall be a part of and supplemental to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 10. K.S.A. 65-2401, as amended by section 1 of 2023 House Bill No. 2358, is hereby amended to read as follows: 65-2401. As used in this act:

(a) "Vital statistics" includes the registration, preparation, transcription, collection, compilation, and preservation of data pertaining to birth, adoption, legitimation, death, stillbirth, marriage, divorce, annulment of marriage, induced termination of pregnancy, and data incidental thereto.

(b) "Live birth" means the complete expulsion or extraction from its mother of a human child, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.

(c) "Gestational age" means the age of the human child as measured in weeks as determined by either the last date of the mother's menstrual period, a sonogram conducted prior to the 20th week of pregnancy or the confirmed known date of conception.

(d) "Stillbirth" means any complete expulsion or extraction from its mother of a human child the gestational age of which is not less than 20 completed weeks, resulting in other than a live birth, as defined in this section, and which is not an induced termination of pregnancy.

(e) "Induced termination of pregnancy" means abortion, as defined in K.S.A. 65-6701, and amendments thereto.

(f) "Dead body" means a lifeless human body or such parts of a human body or the bones thereof from the state of which it reasonably may be concluded that death recently occurred.

(g) "Person in charge of interment" means any person who places or causes to be placed a stillborn child or dead body or the ashes, after cremation, in a grave, vault, urn or other receptacle, or otherwise disposes thereof.

(h) "Secretary" means the secretary of health and environment.

(i) "Cause of death certifier" means a person licensed to practice medicine and surgery by the state board of healing arts, a physician assistant licensed by the state board of healing arts, an advanced practice registered nurse licensed by the state board of nursing or a district coroner, deputy coroner or special deputy coroner.

(j) "Employee" means a person who has applied for employment or is currently employed in the office of vital statistics.

Sec. 11. K.S.A. 2023 Supp. 65-5808 is hereby amended to read as follows: 65-

5808. (a) The board may collect the following fees, and any such fees shall be established by rules and regulations adopted by the board:

- (1) For application for licensure as a professional counselor, not more than \$100;
 - (2) for an original license as a professional counselor, not more than \$175;
 - (3) for a temporary license as a professional counselor, not more than \$175;
 - (4) for a six-month reinstatement temporary license as a professional counselor, not more than \$50;
 - (5) for renewal for licensure as a professional counselor, not more than \$150;
 - (6) for application for licensure as a clinical professional counselor, not more than \$175;
 - (7) for licensure as a clinical professional counselor, not more than \$175;
 - (8) for renewal for licensure as a clinical professional counselor, not more than \$175;
 - (9) for a six-month reinstatement temporary license as a clinical professional counselor, not more than \$50;
 - (10) for a community-based professional counselor license, not more than \$175;
 - (11) for a home-state license with privilege to practice under the counseling compact, not more than \$25 in addition to any other applicable fee;
 - (12) for late renewal penalty, an amount equal to the fee for renewal of a license;
 - ~~(12)~~(13) for reinstatement of a license, not more than \$175;
 - ~~(13)~~(14) for replacement of a license, not more than \$20;
 - ~~(14)~~(15) for a wallet card license, not more than \$5; and
 - ~~(15)~~(16) for application as a board-approved clinical supervisor, not more than \$50.
- (b) Fees paid to the board are not refundable.

Sec. 12. K.S.A. 2023 Supp. 65-6129, as amended by section 21 of 2024 House Bill No. 2760, is hereby amended to read as follows: 65-6129. (a) (1) Application for an emergency medical service provider certificate shall be made to the board. The board shall not grant an emergency medical service provider certificate unless the applicant meets the following requirements:

(A) (i) Has successfully completed coursework required by the rules and regulations adopted by the board;

(ii) has successfully completed coursework in another jurisdiction that is substantially equivalent to that required by the rules and regulations adopted by the board; or

(iii) has provided evidence that such applicant holds a current and active certification with the national registry of emergency medical technicians, completed emergency medical technician training as a member of the army, navy, marine corps, air force, space force, air or army national guard of any of the several states and territories, Puerto Rico and the District of Columbia, coast guard or any component of the military reserves of the United States that is substantially equivalent to that required by the rules and regulations adopted by the board, and such applicant separated from such period of active service as a member of the armed forces with an honorable discharge. Applicants currently performing active service as a member of the armed forces are presumed to be serving honorably;

(B) (i) has passed the examination required by the rules and regulations adopted by the board; or

(ii) has passed the certification or licensing examination in another jurisdiction that

has been approved by the board; and

(C) has paid an application fee required by the rules and regulations adopted by the board.

(2) The board may grant an emergency medical service provider certificate to any applicant who meets the requirements under subsection (a)(1)(A)(iii) but was separated from such period of active service as a member of the armed forces with a general discharge under honorable conditions.

(b) (1) The emergency medical services board may require an original applicant for certification as an emergency medical services provider to be fingerprinted and submit to a state and national criminal history record check in accordance with section 2 of 2024 Senate Bill No. 491, and amendments thereto. ~~The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The emergency medical services board is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The emergency medical services board may use the information obtained from fingerprinting and the applicant's criminal history for purposes of verifying the identification of the applicant and making the official determination of the qualifications and fitness of the applicant to be issued or to maintain a certificate.~~

(2) ~~Local and state law enforcement officers and agencies shall assist the emergency medical services board in taking the fingerprints of applicants for license, registration, permit or certificate. The Kansas bureau of investigation shall release all records of adult convictions, nonconvictions or adjudications in this state and any other state or country to the emergency medical services board.~~ As used in this section, "applicant" means a person who has submitted an application for an emergency medical services provider certificate.

(3) The emergency medical services board may fix and collect a fee as may be required by the board in an amount equal to the cost of fingerprinting and the criminal history record check. The emergency medical services board shall remit all moneys received from the fees established by this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the emergency medical services criminal history and fingerprinting fund.

(4) There is hereby created in the state treasury the emergency medical services criminal history and fingerprinting fund. All moneys credited to the fund shall be used to pay the Kansas bureau of investigation for the processing of fingerprints and criminal history record checks for the emergency medical services board. The fund shall be administered by the emergency medical services board. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the emergency medical services board or the chairperson's designee.

(c) The board shall not grant an initial advanced emergency medical technician certificate or paramedic certificate as a result of successful course completion in the state of Kansas, except if the applicant for such an initial certificate is certified as an emergency medical technician.

(d) An emergency medical service provider certificate shall expire on the date prescribed by the board. An emergency medical service provider certificate may be

renewed for a period of two years upon payment of a fee as prescribed by rule and regulation of the board and upon presentation of satisfactory proof that the emergency medical service provider has successfully completed continuing education as prescribed by the board.

(e) All fees received pursuant to the provisions of this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the emergency medical services operating fund established by K.S.A. 65-6151, and amendments thereto.

(f) If a person who was previously certified as an emergency medical service provider applies for an emergency medical service provider's certificate after the certificate's expiration, the board may grant a certificate without the person completing an initial course of instruction or passing a certification examination if the person has completed education requirements and has paid a fee as specified in rules and regulations adopted by the board.

(g) The board shall adopt, through rules and regulations, a formal list of graduated sanctions for violations of article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, that shall specify the number and severity of violations for the imposition of each level of sanction.

Sec. 13. K.S.A. 73-1210a, as amended by section 27 of 2024 House Bill No. 2760, is hereby amended to read as follows: 73-1210a. (a) Except as otherwise provided by law, and subject to the Kansas civil service act, the director of the Kansas office of veterans services shall appoint:

(1) Subordinate officers and employees, subject to the approval of the governor, as are necessary to enable the director to exercise or perform the functions, powers and duties pursuant to the provisions of article 12 of chapter 73 of the Kansas Statutes Annotated, and amendments thereto;

(2) the superintendent of the Kansas soldiers' home;

(3) the superintendent of the Kansas veterans' home; and

(4) the deputy director of veterans services pursuant to K.S.A. 73-1234, and amendments thereto.

(b) (1) Upon the commencement of the interview process, every candidate for a position in the Kansas office of veterans services that interviews claimants and provides information advice and counseling to veterans, surviving spouses, their dependents concerning compensation, pension, education, vocational rehabilitation, insurance, hospitalization, outpatient care, home loans, housing, tax exemptions, burial benefits and other benefits to which they may be entitled, or any other sensitive position, as determined by the director shall be given a written notice that a criminal history records check is required. The director of the Kansas office of veterans services shall require such candidates to be fingerprinted and submit to a state and national criminal history record check in accordance with section 2 of 2024 Senate Bill No. 491, and amendments thereto. The fingerprints shall be used to identify the candidate and to determine whether the candidate has a record of criminal history in this state or another jurisdiction. The director of the Kansas office of veterans services shall submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the director of the Kansas office of

~~veterans services in taking and processing of fingerprints of candidates. If the criminal history record information reveals any conviction of crimes of dishonesty or violence, such conviction may be used to disqualify a candidate for any position within the director of the Kansas office of veterans services. If the criminal history record information is used to disqualify a candidate, the candidate shall be informed in writing of that decision~~

(2) As used in this subsection, "candidate" means an applicant for a position in the Kansas office of veterans services that interviews claimants and provides information, advice and counseling to veterans, surviving spouses and their dependents concerning compensation, pension, education, vocational rehabilitation, insurance, hospitalization, outpatient care, home loans, housing, tax exemptions, burial benefits and other benefits to which they may be entitled.

(c) Persons employed by the Kansas soldiers' home and Kansas veterans' home shall be excluded from the provisions of subsection (b). No person who has been employed by the director of the Kansas office of veterans services for five consecutive years immediately prior to the effective date of this act shall be subject to the provisions of subsection (b) while employed by the director of the Kansas office of veterans services.

(d) (1) Except as otherwise provided by law, and subject to the Kansas civil service act, the director of the Kansas office of veterans services shall appoint subordinate officers and employees, a superintendent of the Kansas soldiers' home and a superintendent of the Kansas veterans' home, as shall be necessary to enable the director of the Kansas office of veterans services to exercise or perform its functions, powers and duties pursuant to the provisions of article 19 of chapter 76 of the Kansas Statutes Annotated, and amendments thereto.

(2) (A) All subordinate officers and employees shall be within the classified service under the Kansas civil service act, shall perform such duties and exercise such powers as the director of the Kansas office of veterans services may prescribe and such duties and powers as are designated by law, and shall act for and exercise the powers of the the director of the Kansas office of veterans services.

(B) The superintendent of the Kansas soldiers' home shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the director of the Kansas office of veterans services, with the approval of the governor. The superintendent of the Kansas soldiers' home shall perform such duties and exercise such powers as the director may prescribe, and such duties and powers as are prescribed by law.

(C) The superintendent of the Kansas veterans' home shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the director of the Kansas office of veterans services, with the approval of the governor. The superintendent of the Kansas veterans' home shall perform such duties and exercise such powers as the director may prescribe, and such duties and powers as are prescribed by law.

(e) Any veterans service representative appointed by the director of the Kansas office of veterans services shall be an honorably discharged veteran or retired from the United States armed forces. No veterans service representative of the Kansas office of veterans services shall take a power of attorney in the name of the director of the Kansas office of veterans services. Nothing in this act shall be construed to prohibit any

such veterans service representative from assisting any veteran with any claim in which a power of attorney is not required.

(f) For the purpose of this subsection, "veterans service representative" means any officer or employee appointed pursuant to this section whose primary duties include:

(1) Assisting veterans and their dependents in securing benefits from the federal government and the state of Kansas.

(2) Providing information and assistance to veterans and dependents in obtaining special services and benefits based on knowledge of federal and state laws, policies and regulations pertaining to veterans benefits and services.

(3) Providing assistance to veterans service organizations participating in the veterans claims assistance program.

Sec. 14. K.S.A. 2023 Supp. 79-32,117, as amended by section 2 of 2024 Senate Bill No. 360, is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been

deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to

K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual

taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount ~~deducted by reason of a~~ of any interest expense paid or accrued in a previous taxable year but allowed as a deduction pursuant to section 163 of the federal internal revenue code in the current taxable year by reason of the carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018. For purposes of this paragraph, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable pursuant to section 163 of the federal internal revenue code if the limitation pursuant to section 163(j) of the federal internal revenue code did not exist.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(xxix) For all taxable years beginning after December 31, 2024, the amount of any contributions to, or earnings from, an adoption savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to section 4 of 2024 House Bill No. 2465, and amendments thereto, or were not held for the minimum length of time required pursuant to section 4 of 2024 House Bill No. 2465, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving

payable on death beneficiary pursuant to section 4(c) of 2024 House Bill No. 2465, and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

~~(x) (1) For taxable years beginning after December 31, 1976, 2021, the amount of the any federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C(a). For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.~~

(2) For taxable years beginning after December 31, 2019, and ending before January 1, 2022, 50% of the amount of the federal employee retention credit disallowance under rules similar to the rules of 26 U.S.C. § 280C(a). The taxpayer shall

be required to prove that such taxpayer previously filed Kansas income tax returns and paid Kansas income tax on the disallowed amount. Notwithstanding any other provision of law to the contrary, any claim for refund or amended return relating to this subparagraph shall be allowed to be filed on or before April 15, 2025, and no claim for refund or amended return shall be allowed or filed after April 15, 2025.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) The cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof. For all taxable years beginning after December 31, 2022, contributions made to a qualified tuition program account or a qualified ABLE program account pursuant to this paragraph on and after January 1 but prior to the date required for filing a return pursuant to K.S.A. 79-3221, and amendments thereto, of the successive taxable year may be elected by the taxpayer to apply to the prior taxable year if such election is made at the time of filing the return. No contribution shall be used as a modification pursuant to this paragraph in more than one taxable year.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by

taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction

modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) (1) For all taxable years commencing after December 31, 2020, the amount of any interest expense paid or accrued in the current taxable year and disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(2) For purposes of this paragraph, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable pursuant to section 163 of the federal internal revenue code if the limitation pursuant to section 163(j) of the federal internal revenue code did not exist.

(3) For tax year 2021, an amount equal to the sum of any interest expenses paid or accrued in tax years 2018, 2019 and 2020 less the sum of amounts allowed as a deduction pursuant to section 163 of the federal internal revenue code in tax years 2018, 2019 and 2020.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp.

58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account. For all taxable years beginning after December 31, 2022, contributions made to a first-time home buyer savings account pursuant to subparagraph (1) on and after January 1 but prior to the date required for filing a return pursuant to K.S.A. 79-3221, and amendments thereto, of the successive taxable year may be elected by the taxpayer to apply to the prior taxable year if such election is made at the time of filing the return. No contribution shall be used as a modification pursuant to subparagraph (1) in more than one taxable year.

(xxix) For taxable years beginning after December 31, 2017, for an individual taxpayer who carried back federal net operating losses arising in a taxable year beginning after December 31, 2017, and before January 1, 2021, pursuant to section 172(b)(1) of the federal internal revenue code as amended by the coronavirus aid, relief, and economic security act (CARES act), the amount of such federal net operating loss carryback for each applicable year. If the amount of such federal net operating loss carryback exceeds the taxpayer's Kansas adjusted gross income for such taxable year, the amount thereof that exceeds such Kansas adjusted gross income may be carried forward as a subtraction modification in the following taxable year or years until the total amount of such federal net operating loss carryback has been deducted, except that no such unused amount shall be carried forward for deduction as a subtraction modification after the 20th taxable year following the taxable year of the net operating loss. Notwithstanding any other provision of law to the contrary, an extension of time shall be allowed for a claim for refund or amended return for tax years 2018, 2019 or 2020 limited to the application of the provisions of this paragraph and such claim for refund or amended return must be filed on or before April 15, 2025.

(xxx) For all taxable years beginning after December 31, 2024: (1) The amount contributed to an adoption savings account pursuant to section 3 of 2024 House Bill No. 2465, and amendments thereto, in an amount not to exceed \$6,000 for an individual or \$12,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in an adoption savings account.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 15. K.S.A. 2023 Supp. 79-3606, as amended by section 5 of 2023 House Bill No. 2098 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-

5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, multi community diversified services, incorporated, located in McPherson, Kansas, the Kansas state school for the blind and the Kansas state school for the deaf;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of

the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or

instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under

the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one

place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service

designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, "severing" means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in

such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" mean the same as defined in K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit

organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble

items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used to:

(A) Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) guide, control or direct the movement of property undergoing manufacturing or processing;

(E) test or measure raw materials, the property undergoing manufacturing or

processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated

production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group

or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on

coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any

contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any

contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in

the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf

of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by

the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal

income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the

purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining,

repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the

project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the

contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing

or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax

otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or

compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such

contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. For the purposes of this subsection, "bullion" means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form;

(nnnn) all sales of tangible personal property or services purchased by friends of hospice of Jefferson county, an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing support to the Jefferson county hospice agency in end-of-life care of Jefferson county families, friends and neighbors, and all sales of entry or participation fees, charges or tickets by friends of hospice of Jefferson county for such organization's fundraising event for such purpose;

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in K.S.A. 2023 Supp. 74-50,312 and 74-50,319, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce, and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-

3615(h), and amendments thereto. As used in this subsection, "qualified business facility," "qualified firm" and "qualified supplier" mean the same as defined in K.S.A. 2023 Supp. 74-50,311, and amendments thereto;

(pppp) (1) all sales of tangible personal property or services purchased by a not-for-profit corporation that is designated as an area agency on aging by the secretary for aging and disabilities services and is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code for the purpose of coordinating and providing seniors and those living with disabilities with services that promote person-centered care, including home-delivered meals, congregate meal settings, long-term case management, transportation, information, assistance and other preventative and intervention services to help service recipients remain in their homes and communities or for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for such area agency on aging; and

(2) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging that would be exempt from taxation under the provisions of this section if purchased directly by such area agency on aging. Nothing in this paragraph shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging. When an area agency on aging contracts for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and such contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such area agency on aging a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the area agency on aging concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof, the area agency on aging may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and

amendments thereto;

(qqqq) all sales of tangible personal property or services purchased by Kansas suicide prevention HQ, inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of bringing suicide prevention training and awareness to communities across the state;

(rrrr) all sales of the services of slaughtering, butchering, custom cutting, dressing, processing and packaging of an animal for human consumption when the animal is delivered or furnished by a customer that owns the animal and such meat or poultry is for use or consumption by such customer;

(ssss) all sales of tangible personal property or services purchased by or on behalf of doorstep inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing short-term emergency aid to families and individuals in need, including assistance with food, clothing, rent, prescription medications, transportation and utilities, and providing information on services to promote long-term self-sufficiency;

(tttt) on and after January 1, 2024, all sales of tangible personal property or services purchased by exploration place, inc., an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and which such property and services are used for the purpose of constructing, remodeling, furnishing or equipping a riverfront amphitheater, a destination playscape, an education center and indoor renovations at exploration place in Wichita, Kansas, all sales of tangible personal property or services purchased by Kansas children's discovery center inc. in Topeka, Kansas, and which such property and services are used for the purpose of constructing, remodeling, furnishing or equipping projects that include indoor-outdoor classrooms, an expanded multi-media gallery, a workshop and loading dock and safety upgrades such as a tornado shelter, lactation room, first aid room and sensory room and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, remodeling, furnishing or equipping such projects, for such organizations, that would be exempt from taxation under the provisions of this section if purchased directly by such organizations. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, remodeling, furnishing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing, remodeling, furnishing or equipping such projects, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such

contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization shall be liable for tax on all materials purchased for the project, and upon payment thereof may recover the same from the contractor together with reasonable attorney fees. Any contractor or agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2024, but prior to the effective date of this act, upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee. The provisions of this subsection shall expire and have no effect on and after December 31, 2030;

(uuuu) (1) (A) all sales of equipment, machinery, software, ancillary components, appurtenances, accessories or other infrastructure purchased for use in the provision of communications services; and

(B) all services purchased by a provider in the provision of the communications service used in the repair, maintenance or installation in such communications service.

(2) As used in this subsection:

(A) "Communications service" means internet access service, telecommunications service, video service or any combination thereof.

(B) "Equipment, machinery, software, ancillary components, appurtenances, accessories or other infrastructure" includes, but is not limited to:

(i) Wires, cables, fiber, conduits, antennas, poles, switches, routers, amplifiers, rectifiers, repeaters, receivers, multiplexers, duplexers, transmitters, circuit cards, insulating and protective materials and cases, power equipment, backup power equipment, diagnostic equipment, storage devices, modems, cable modem termination systems and servers;

(ii) other general central office or headend equipment, such as channel cards, frames and cabinets;

(iii) equipment used in successor technologies, (including items used to monitor, test, maintain, enable or facilitate qualifying equipment, machinery, software, ancillary components, appurtenances and accessories; and

(iv) other infrastructure that is used in whole or in part to provide communications services, including broadcasting, distributing, sending, receiving, storing, transmitting, retransmitting, amplifying, switching, providing connectivity for or routing communications services.

(C) "Internet access service" means the same as internet access as defined in section 1105 of the internet tax freedom act amendments of 2007, public law 110-108.

(D) "Provider" means a person or entity that sells communications service,

including an affiliate or subsidiary.

(E) "Telecommunications service" means the same as defined in K.S.A. 79-3602, and amendments thereto.

(F) "Video service" means the same as defined in K.S.A. 12-2022, and amendments thereto.

(3) The provisions of this subsection shall expire and have no effect on and after July 1, 2029; ~~and~~

(vvvv) (1) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a building that is operated by, or is intended to be operated by, the Kansas fairgrounds foundation, a not-for-profit corporation exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and located on the grounds of the Kansas state fair, and such tangible personal property would be exempt from taxation under the provisions of this paragraph if purchased directly by such eligible not-for-profit corporation. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a building for such eligible not-for-profit corporation. When such eligible not-for-profit corporation contracts for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a building, such corporation shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and such contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering such purchases bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such eligible not-for-profit corporation a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or returned for credit, the contractor shall report and pay the sales or compensating tax to the director of taxation not later than the 20th day of the month following the close of the month in which it is determined that such materials will not be used for the purpose for which such certificate was issued. The eligible not-for-profit corporation concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof, the eligible not-for-profit corporation may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto.

(2) Sales tax paid on and after May 19, 2023, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this

act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee; and

(www) (1) All sales of tangible personal property or services purchased by a pregnancy resource center or residential maternity facility.

(2) As used in this subsection, "pregnancy resource center" or "residential maternity facility" means an organization that is:

(A) Exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(B) a nonprofit organization organized under the laws of this state; and

(C) a pregnancy resource center or residential maternity facility that:

(i) Maintains a dedicated phone number for clients;

(ii) maintains in this state its primary physical office, clinic or residential home that is open for clients for a minimum of 20 hours per week, excluding state holidays;

(iii) offers services, at no cost to the client, for the express purpose of providing assistance to women in order to carry their pregnancy to term, encourage parenting or adoption, prevent abortion and promote healthy childbirth; and

(iv) utilizes trained healthcare providers, as defined by section 8 of 2024 House Bill No. 2465, and amendments thereto, to perform any available medical procedures.

Sec. 16. K.S.A. 17-12a412, as amended by section 1 of 2024 Senate Bill No. 405, 17-12a412, as amended by section 15 of 2024 House Bill No. 2562, 44-706, as amended by section 12 of 2024 House Bill No. 2760, 44-706, as amended by section 4 of 2024 House Bill No. 2570, 65-2401, as amended by section 1 of 2023 House Bill No. 2358, 65-2401, as amended by section 51 of 2024 Senate Bill No. 491, 73-1210a, as amended by section 27 of 2024 House Bill No. 2760, and 73-1210a, as amended by section 63 of 2024 Senate Bill No. 491, and K.S.A. 2023 Supp. 38-2203, as amended by section 3 of 2024 House Bill No. 2536, 38-2203a, 38-2212, as amended by section 8 of 2023 Senate Bill No. 115, 38-2212, as amended by section 1 of 2024 House Bill No. 2628, 38-2243, 38-2243a, 65-536, 65-536a, 65-5808, 65-5808a, 65-6129, as amended by section 21 of 2024 House Bill No. 2760, 65-6129, as amended by section 62 of 2024 Senate Bill No. 491, 75-5665a, 79-32,117, as amended by section 2 of 2024 Senate Bill No. 360, 79-32,117, as amended by section 18 of 2024 Senate Bill No. 410, 79-32,117, as amended by section 9 of 2024 House Bill No. 2465, 79-3606, as amended by section 5 of 2023 House Bill No. 2098, and 79-3606, as amended by section 11 of 2024 House Bill No. 2465 are hereby repealed.

Sec. 17. On and after January 1, 2025, K.S.A. 9-508, as amended by section 11 of 2024 Senate Bill No. 491, 9-509, as amended by section 12 of 2024 Senate Bill No. 491, 9-513e, as amended by section 13 of 2024 Senate Bill No. 491, 9-2201, as amended by section 16 of 2024 Senate Bill No. 491, 9-2201, as amended by section 17 of 2024 House Bill No. 2247, 9-2209, as amended by section 17 of 2024 Senate Bill No. 491, 9-2209, as amended by section 21 of 2024 House Bill No. 2247, 16a-6-104, as amended by section 22 of 2024 Senate Bill No. 491, 16a-6-104, as amended by section 104 of 2024 House Bill No. 2247, are hereby repealed.";

Also on page 5, in line 41, by striking "Kansas register" and inserting "statute book";
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking lines 2 through 7; in line 8, by striking "40-4905, 40-4906 and 40-5505" and inserting "reconciling multiple amendments to certain statutes; amending K.S.A. 9-2201, as amended by section 16 of 2024 Senate Bill No. 491, 9-2209, as amended by section 17 of 2024 Senate Bill No. 491, 16a-6-104, as amended by section 22 of 2024 Senate Bill No. 491, 17-12a412, as amended by section 1 of 2024 Senate Bill No. 405, 44-706, as amended by section 12 of 2024 House Bill No. 2760, 65-2401, as amended by section 1 of 2023 House Bill No. 2358, 73-1210a, as amended by section 27 of 2024 House Bill No. 2760 and K.S.A. 2023 Supp. 38-2203, as amended by section 3 of 2024 House Bill No. 2536, 38-2212, as amended by section 8 of 2023 Senate Bill No. 115, 38-2243, 65-536, 65-5808, 65-6129, as amended by section 21 of 2024 House Bill No. 2760, 79-32,117, as amended by section 2 of 2024 Senate Bill No. 360, and 79-3606, as amended by section 5 of 2023 House Bill No. 2098"; also in line 8, after "sections" by inserting "also repealing K.S.A. 9-508, as amended by section 11 of 2024 Senate Bill No. 491, 9-509, as amended by section 12 of 2024 Senate Bill No. 491, 9-513e, as amended by section 13 of 2024 Senate Bill No. 491, 9-2201, as amended by section 17 of 2024 House Bill No. 2247, 9-2209, as amended by section 21 of 2024 House Bill No. 2247, 16a-6-104, as amended by section 104 of 2024 House Bill No. 2247, 17-12a412, as amended by section 15 of 2024 House Bill No. 2562, 44-706, as amended by section 4 of 2024 House Bill No. 2570, 65-2401, as amended by section 51 of 2024 Senate Bill No. 491, 73-1210a, as amended by section 63 of 2024 Senate Bill No. 491, and K.S.A. 2023 Supp. 38-2203a, 38-2212, as amended by section 1 of 2024 House Bill No. 2628, 38-2243a, 65-536a, 65-5808a, 65-6129, as amended by section 62 of 2024 Senate Bill No. 491, 75-5665a, 79-32,117, as amended by section 18 of 2024 Senate Bill No. 410, 79-32,117, as amended by section 9 of 2024 House Bill No. 2465, and 79-3606, as amended by section 11 of 2024 House Bill No. 2465";

And your committee on conference recommends the adoption of this report.

TROY WAYMASTER

KYLE HOFFMAN

HENRY HELGERSON

Conferees on part of House

RICK BILLINGER

JR CLAEYS

PAT PETTEY

Conferees on part of Senate

Senator Billinger moved the Senate adopt the Conference Committee Report on **SB 27**.

On roll call, the vote was: Yeas 34; Nays 0; Present and Passing 1; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Holland.

Absent or Not Voting: Doll, Holscher, Longbine, McGinn, O'Shea.
The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 37** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

ADAM SMITH
BRIAN BERGKAMP
TOM SAWYER

Conferees on part of House

CARYN TYSON
VIRGIL PECK

Conferees on part of Senate

On motion of Senator Tyson the Senate adopted the conference committee report on **H Sub SB 37**, and requested a new conference be appointed.

The President appointed Senators Tyson, Peck and Holland as a second Conference Committee on the part of the Senate on **H Sub SB 37**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 37** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 37, as follows:

On page 1, by striking all in lines 12 through 36;

By striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 21; following line 21, by inserting:

"New Section 1. On July 1, 2024, the director of accounts and reports shall transfer all moneys in the local ad valorem tax reduction fund to the state general fund. On July 1, 2024, all liabilities of the local ad valorem tax reduction fund are hereby transferred to and imposed on the state general fund, and the local ad valorem tax reduction fund is hereby abolished.

New Sec. 2. On July 1, 2024, the director of accounts and reports shall transfer all moneys in the county and city revenue sharing fund to the state general fund. On July 1, 2024, all liabilities of the county and city revenue sharing fund are hereby transferred to and imposed on the state general fund, and the county and city revenue sharing fund is hereby abolished.

New Sec. 3. On August 15, 2024, and each August 15 thereafter, the director of the budget, in consultation with the director of property valuation, shall certify to the director of accounts and reports if the tax levied pursuant to K.S.A. 72-5142, and amendments thereto, is decreased from 20 mills or the exemption provided by K.S.A. 79-201x, and amendments thereto, is increased from \$42,049 for any tax year. The director of the budget shall certify to the director of accounts and reports and shall

transfer a copy of such certification to the director of legislative research, the amount of revenue that the decrease in property tax would have generated for the tax year if such tax was levied pursuant to K.S.A. 72-5142, and amendments thereto, at the rate of 20 mills and the difference in the amount of revenue that the increase in the exemption provided by K.S.A. 79-201x, and amendments thereto, would have generated for the tax year if the exemption amount was \$42,049. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer such certified amount from the state general fund to the state school district finance fund of the department of education.

Sec. 4. On and after July 1, 2024, K.S.A. 65-163j is hereby amended to read as follows: 65-163j. (a) The dedicated source of revenue for repayment of a loan to a municipality may include service charges, connection fees, special assessments, property taxes, grants or any other source of revenue lawfully available to the municipality for such purpose. In order to ensure repayment by municipalities of the amounts of loans provided under this act, the secretary, after consultation with the governing body of any municipality ~~which that~~ receives a loan, may adopt charges to be levied against individuals and entities served by the project. Any such charges shall remain in effect until the total amount of the loan, and any interest thereon, has been repaid. The charges shall, insofar as is practicable, be equitably assessed and may be in the form of a surcharge to the existing charges of the municipality. The governing body of any municipality ~~which that~~ receives a loan under this act shall collect any charges established by the secretary and shall pay the moneys collected therefrom to the secretary in accordance with procedures established by the secretary.

~~(b) Upon the failure of a municipality to meet the repayment terms and conditions of the agreement, the secretary may order the treasurer of the county in which the municipality is located to pay to the secretary such portion of the municipality's share of the local ad valorem tax reduction fund as may be necessary to meet the terms of the agreement, notwithstanding the provisions of K.S.A. 79-2960 and 79-2961, and amendments thereto. Upon the issuance of such an order, the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961, and amendments thereto.~~

~~(e) Municipalities which that~~ are provided with loans under this act shall maintain project accounts in accordance with generally accepted government accounting standards.

~~(d)(c)~~ Any loans received by a municipality under the provisions of this act shall be construed to be bonds for the purposes of K.S.A. 10-1116 and 79-5028, and amendments thereto, and the amount of such loans shall not be included within any limitation on the bonded indebtedness of the municipality.

Sec. 5. On and after July 1, 2024, K.S.A. 65-3306 is hereby amended to read as follows: 65-3306. The secretary's annual request for appropriations to the water pollution control account shall be based on an estimate of the fiscal needs for the ensuing budget year, less any amounts received by the secretary from any public or private grants or contributions and moneys in such account shall be used solely for the purposes provided for by this act. Moneys allocated to a municipality shall be encumbered as an expenditure of this account upon the formal letting of a contract for the improvement notwithstanding the date ~~on which when~~ actual payment is made of the state financial assistance. Any municipality may contribute moneys to the state

water pollution control account. If there are no uncommitted or unencumbered moneys in the water pollution control account, any municipality applying for any water pollution control project as defined in K.S.A. 65-3302, ~~and amendments thereto~~, shall as a condition of such application certify in writing to the secretary that a contribution in the amount of ~~twenty-five percent~~ (25%) of the eligible cost of such project will be made to the water pollution control account by such municipality prior to formal letting of a construction contract. Upon receipt by the secretary, each such contribution shall be retained in a subaccount of the water pollution control account for use solely in the project for which the municipality has made application.

~~Notwithstanding the provisions of K.S.A. 79-2960 and 79-2961, any municipality applying for such a water pollution control project may make such contribution from all or such part of its share of the local ad valorem tax reduction fund as may be necessary for such purpose, and to the extent such fund is pledged and used for such purpose the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961. Taxes levied by any municipality by reason of its failure to make such reduction in its levies shall not be subject to or be considered in computing the aggregate limitation upon the levy of taxes by such municipality under the provisions of K.S.A. 79-5003.~~

Sec. 6. On and after July 1, 2024, K.S.A. 65-3327 is hereby amended to read as follows: 65-3327. (a) The dedicated source of revenue for repayment of the loans may include service charges, connection fees, special assessments, property taxes, grants or any other source of revenue lawfully available to the municipality for such purpose. In order to ensure repayment by municipalities of the amounts of loans provided under K.S.A. 65-3321 through 65-3329, and amendments thereto, the secretary, after consultation with the governing body of any municipality which receives a loan, may adopt charges to be levied against users of the project. Any such charges shall remain in effect until the total amount of the loan, and any interest thereon, has been repaid. The charges shall, insofar as is practicable, be equitably assessed and may be in the form of a surcharge to the existing charges of the municipality. The governing body of any municipality which receives a loan under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall collect any charges established by the secretary and shall pay the moneys collected therefrom to the secretary in accordance with procedures established by the secretary.

~~(b) Upon the failure of a municipality to meet the repayment terms and conditions of the agreement, the secretary may order the treasurer of the county in which the municipality is located to pay to the secretary such portion of the municipality's share of the local ad valorem tax reduction fund as may be necessary to meet the terms of the agreement, notwithstanding the provisions of K.S.A. 79-2960 and 79-2961 and amendments thereto. Upon the issuance of such an order, the municipality shall not be required to make the tax levy reductions otherwise required by K.S.A. 79-2960 and 79-2961 and amendments thereto.~~

~~(c) Municipalities which that~~ are provided with loans under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall maintain project accounts in accordance with generally accepted government accounting standards.

~~(d)(c)~~ Municipalities ~~which that~~ receive a grant and an allowance under the federal act with respect to project costs for which a loan was provided under K.S.A. 65-3321 through 65-3329, and amendments thereto, shall promptly repay such loan to the extent

of the allowance received under the federal act.

~~(e)~~(d) Any loans received by a municipality under the provisions of K.S.A. 65-3321 through 65-3329, and amendments thereto, shall be construed to be bonds for the purposes of K.S.A. 10-1116 and 79-5028, and amendments thereto, and the amount of such loans shall not be included within any limitation on the bonded indebtedness of the municipality.

Sec. 7. On and after July 1, 2024, K.S.A. 2023 Supp. 72-5142 is hereby amended to read as follows: 72-5142. (a) The board of education of each school district shall levy an ad valorem tax upon the taxable tangible property of the school district in the school years specified in subsection (b) for the purpose of:

(1) Financing that portion of the school district's general fund budget that is not financed from any other source provided by law;

(2) paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state; and

(3) with respect to any redevelopment school district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district.

(b) The tax required under subsection (a) shall be levied at a rate of ~~20~~ 19.5 mills in the school years ~~2023-2024 and 2024-2025 and 2025-2026~~.

(c) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose described in subsection (a)(3), shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(d) No school district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

Sec. 8. On and after July 1, 2024, K.S.A. 2023 Supp. 74-8768 is hereby amended to read as follows: 74-8768. (a) There is hereby created the expanded lottery act revenues fund in the state treasury. All expenditures and transfers from such fund shall be made in accordance with appropriation acts. All moneys credited to such fund shall be expended or transferred only for the purposes of reduction of state debt, state infrastructure improvements, the university engineering initiative act, ~~reduction of local ad valorem tax in the same manner as provided for allocation of amounts in the local ad valorem tax reduction fund~~ and reduction of the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, by the Kansas public employees retirement system.

(b) On July 1, 2021, July 1, 2022, July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, July 1, 2027, July 1, 2028, July 1, 2029, July 1, 2030, and July 1, 2031, or as soon thereafter such date as moneys are available, the first \$10,500,000 credited to the expanded lottery act revenues fund shall be transferred by the director of accounts and reports from the expanded lottery act revenues fund in one or more substantially equal amounts, to each of the following: The Kan-grow engineering fund – KU, Kan-grow engineering fund – KSU and Kan-grow engineering fund – WSU. Each such special

revenue fund shall receive \$3,500,000 annually in each of such years. Commencing in fiscal year 2014, after such transfer has been made, 50% of the remaining moneys credited to the fund shall be transferred on a quarterly basis by the director of accounts and reports from the fund to the Kansas public employees retirement system fund to be applied to reduce the unfunded actuarial liability of the system attributable to the state of Kansas and participating employers under K.S.A. 74-4931 et seq., and amendments thereto, until the system as a whole attains an 80% funding ratio as certified by the board of trustees of the Kansas public employees retirement system.

Sec. 9. On and after July 1, 2024, K.S.A. 75-2556 is hereby amended to read as follows: 75-2556. (a) The state librarian shall determine the amount of the grant-in-aid each eligible local public library is to receive based on the latest population census figures as certified by the division of the budget.

(b) Except as provided by subsection (d), no local public library shall be eligible for any state grants-in-aid if the total amount of the following paragraphs is less than the total amount produced from such sources for the same library for the previous year, based on the information contained in the official annual budgets of municipalities that are filed with the division of accounts and reports in accordance with K.S.A. 79-2930, and amendments thereto:

(1) The amount produced by the local ad valorem tax levies for the current year expenses for such library;

~~(2) the amount of moneys received from the local ad valorem tax reduction fund for current year expenses for such library;~~

(3) the amount of moneys received from taxes levied upon motor vehicles under the provisions of K.S.A. 79-5101 et seq., and amendments thereto, for current year expenses for such library; and

~~(4)~~(3) the amount of moneys received in the current year from collections of unpaid local ad valorem tax levies for prior year expenses for such library.

(c) Local public library districts in which the assessed valuation decreases shall remain eligible for state grants-in-aid so long as the ad valorem tax mill rate for the support of such library has not been reduced below the mill rate imposed for such purpose for the previous year.

(d) If a local public library fails to qualify for eligibility for any state grants-in-aid under subsection (b), the state librarian shall have the power to continue the eligibility of a local public library for any state grants-in-aid if the state librarian, after evaluation of all the circumstances, determines that the legislative intent for maintenance of local tax levy support for the on-going operations of the library is being met by the library district.

(e) The distribution so determined shall be apportioned and paid on February 15 of each year.

Sec. 10. On and after July 1, 2024, K.S.A. 2023 Supp. 79-201x is hereby amended to read as follows: 79-201x. ~~(a)~~ For taxable year ~~2022~~ 2024, and all taxable years thereafter, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-5142, and amendments thereto: Property used for residential purposes to the extent of ~~\$40,000~~ \$100,000 of its appraised valuation.

~~(b) For taxable year 2023, and all taxable years thereafter, the dollar amount of the extent of appraised valuation that is exempt pursuant to subsection (a) shall be adjusted~~

~~to reflect the average percentage change in statewide residential valuation of all residential real property for the preceding 10 years. Such average percentage change shall not be less than zero. The director of property valuation shall calculate the average percentage change for purposes of this annual adjustment and calculate the dollar amount of the extent of appraised valuation that is exempt pursuant to this section each year.~~

Sec. 11. On and after July 1, 2024, K.S.A. 79-1107 is hereby amended to read as follows: 79-1107. (a) Every national banking association and state bank located or doing business within the state shall pay to the state for the privilege of doing business within the state a tax according to or measured by its net income for the next preceding taxable year to be computed as provided in this act. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(a)(1) For tax year 2024, and all tax years thereafter, the normal tax shall be an amount equal to ~~2¹/₄%~~ 1.94% of such net income; and

(b)(2) the surtax shall be an amount equal to ~~2¹/₈%~~ 2.125% of such net income in excess of \$25,000.

(b) The tax levied shall be in lieu of ad valorem taxes which might otherwise be imposed by the state or political subdivisions thereof upon shares of capital stock or the intangible assets of national banking associations and state banks.

Sec. 12. On and after July 1, 2024, K.S.A. 79-1108 is hereby amended to read as follows: 79-1108. (a) Every trust company and savings and loan association located or doing business within the state shall pay to the state for the privilege of doing business within the state a tax according to or measured by its net income for the next preceding taxable year to be computed as provided in this act. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(a)(1) For tax year 2024, and all tax years thereafter, the normal tax on every trust company and savings and loan association shall be an amount equal to ~~2¹/₄%~~ 1.93% of such net income; and

(b)(2) the surtax on every trust company and savings and loan association shall be an amount equal to ~~2¹/₄%~~ 2.25% of such net income in excess of \$25,000.

(b) The tax levied shall be in lieu of ad valorem taxes which might otherwise be imposed by the state or political subdivision thereof upon shares of capital stock or other intangible assets of trust companies and savings and loan associations.

Sec. 13. On and after July 1, 2024, K.S.A. 79-1479 is hereby amended to read as follows: 79-1479. (a) On or before January 15, 1992, and quarterly thereafter, the county or district appraiser shall submit to the director of property valuation a progress report indicating actions taken during the preceding quarter calendar year to implement the appraisal of property in the county or district. Whenever the director of property valuation shall determine that any county has failed, neglected or refused to properly provide for the appraisal of property or the updating of the appraisals on an annual basis in substantial compliance with the provisions of law and the guidelines and timetables prescribed by the director, the director shall file with the state board of tax appeals a complaint stating the facts upon which the director has made the determination of noncompliance as provided by K.S.A. 79-1413a, and amendments thereto. If, as a result of such proceeding, the state board of tax appeals finds that the county is not in substantial compliance with the provisions of law and the guidelines and timetables of the director of property valuation providing for the appraisal of all property in the

county or the updating of the appraisals on an annual basis, it shall order the immediate assumption of the duties of the office of county appraiser by the director of the division of property valuation until such time as the director of property valuation determines that the county is in substantial compliance with the provisions of law. ~~In addition, the board shall order the state treasurer to withhold all or a portion of the county's entitlement to moneys from either or both of the local ad valorem tax reduction fund and the city and county revenue sharing fund for the year following the year in which the order is issued.~~ Upon service of any such order on the board of county commissioners, the appraiser shall immediately deliver to the director of property valuation, or the director's designee, all books, records and papers pertaining to the appraiser's office.

Any county for which the director of the division of property valuation is ordered by the state board of tax appeals to assume the responsibility and duties of the office of county appraiser shall reimburse the state for the actual costs incurred by the director of the division of property valuation in the assumption and carrying out of such responsibility and duties, including any contracting costs in the event it is necessary for the director of property valuation to contract with private appraisal firms to carry out such responsibilities and duties.

(b) On or before June 1 of each year, the director of property valuation shall review the appraisal of property in each county or district to determine if property within the county or district is being appraised or valued in accordance with the requirements of law. If the director determines the property in any county or district is not being appraised in accordance with the requirements of law, the director of property valuation shall notify the county or district appraiser and the board of county commissioners of any county or counties affected that the county has 30 days within which to submit to the director a plan for bringing the appraisal of property within the county into compliance.

If a plan is submitted and approved by the director the county or district shall proceed to implement the plan as submitted. The director shall continue to monitor the program to insure that the plan is implemented as submitted. If no plan is submitted or if the director does not approve the plan, the director shall petition the state board of tax appeals for a review of the plan or, if no plan is submitted, for authority for the division of property valuation to assume control of the appraisal program of the county and to proceed to bring the same into compliance with the requirements of law.

If the state board of tax appeals approves the plan, the county or district appraiser shall proceed to implement the plan as submitted. If no plan has been submitted or the plan submitted is not approved, the board shall fix a time within which the county may submit a plan or an amended plan for approval. If no plan is submitted and approved within the time prescribed by the board, the board shall order the division of property valuation to assume control of the appraisal program of the county ~~and shall certify its order to the state treasurer who shall withhold distributions of the county's share of moneys from the county and city revenue sharing fund and the local ad valorem tax reduction fund and credit the same to the general fund of the state for the year following the year in which the board's order is made.~~ The director of property valuation shall certify the amount of the cost incurred by the division in bringing the program in compliance to the state board of tax appeals. The board shall order the county commissioners to reimburse the state for such costs.

(c) The state board of tax appeals shall within 60 days after the publication of the Kansas assessment/sales ratio study review such publication to determine county compliance with K.S.A. 79-1439, and amendments thereto. If in the determination of the board one or more counties are not in substantial compliance and the director of property valuation has not acted under subsection (b), the board shall order the director of property valuation to take such corrective action as is necessary or to show cause for noncompliance.

Sec. 14. On and after July 1, 2024, K.S.A. 2023 Supp. 79-2988 is hereby amended to read as follows: 79-2988. (a) On or before June 15 each year, the county clerk shall calculate the revenue neutral rate for each taxing subdivision and include such revenue neutral rate on the notice of the estimated assessed valuation provided to each taxing subdivision for budget purposes. The director of accounts and reports shall modify the prescribed budget information form to show the revenue neutral rate.

(b) No tax rate in excess of the revenue neutral rate shall be levied by the governing body of any taxing subdivision unless a resolution or ordinance has been approved by the governing body according to the following procedure:

(1) At least 10 days in advance of the public hearing, the governing body shall publish notice of its proposed intent to exceed the revenue neutral rate by publishing notice:

(A) On the website of the governing body, if the governing body maintains a website; and

(B) in a weekly or daily newspaper of the county having a general circulation therein. The notice shall include, but not be limited to, its proposed tax rate, its revenue neutral rate and the date, time and location of the public hearing.

(2) On or before July 20, the governing body shall notify the county clerk of its proposed intent to exceed the revenue neutral rate and provide the date, time and location of the public hearing and its proposed tax rate. For all tax years commencing after December 31, 2021, the county clerk shall notify each taxpayer with property in the taxing subdivision, by mail directed to the taxpayer's last known address, of the proposed intent to exceed the revenue neutral rate at least 10 days in advance of the public hearing. Alternatively, the county clerk may transmit the notice to the taxpayer by electronic means at least 10 days in advance of the public hearing, if such taxpayer and county clerk have consented in writing to service by electronic means. The county clerk shall consolidate the required information for all taxing subdivisions relevant to the taxpayer's property on one notice. The notice shall be in a format prescribed by the director of accounts and reports. The notice shall include, but not be limited to:

(A) The revenue neutral rate of each taxing subdivision relevant to the taxpayer's property;

(B) the proposed property tax revenue needed to fund the proposed budget of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(C) the proposed tax rate based upon the proposed budget and the current year's total assessed valuation of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(D) the percentage by which the proposed tax rate exceeds the revenue neutral rate;

(E) the tax rate and property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement;

(F) the appraised value and assessed value of the taxpayer's property for the current year;

(G) the estimates of the tax for the current tax year on the taxpayer's property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates;

(H) the difference between the estimates of tax based on the proposed tax rate and the revenue neutral rate on the taxpayer's property described in subparagraph (G) for any taxing subdivision that has a proposed tax rate that exceeds its revenue neutral rate; and

(I) the date, time and location of the public hearing of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate.

Although the state of Kansas is not a taxing subdivision for purposes of this section, the notice shall include a statement of the statutory mill levies imposed by the state and the estimate of the tax for the current year on the taxpayer's property based on such levies.

(3) The public hearing to consider exceeding the revenue neutral rate shall be held not sooner than August 20 and not later than September 20. The governing body shall provide interested taxpayers desiring to be heard an opportunity to present oral testimony within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment. The public hearing may be conducted in conjunction with the proposed budget hearing pursuant to K.S.A. 79-2929, and amendments thereto, if the governing body otherwise complies with all requirements of this section. Nothing in this section shall be construed to prohibit additional public hearings that provide additional opportunities to present testimony or public comment prior to the public hearing required by this section.

(4) A majority vote of the governing body, by the adoption of a resolution or ordinance to approve exceeding the revenue neutral rate, shall be required prior to adoption of a proposed budget that will result in a tax rate in excess of the revenue neutral rate. Such vote of the governing body shall be conducted at the public hearing after the governing body has heard from interested taxpayers and shall be a roll call vote. If the governing body approves exceeding the revenue neutral rate, the governing body shall not adopt a budget that results in a tax rate in excess of its proposed tax rate as stated in the notice provided pursuant to this section. A copy of the resolution or ordinance to approve exceeding the revenue neutral rate and a certified copy of any roll call vote reporting, at a minimum, the name and vote of each member of the governing body related to exceeding the revenue neutral rate, whether approved or not, shall be included with the adopted budget, budget certificate and other budget forms filed with the county clerk and the director of accounts and reports and shall be published on the website of the department of administration.

(c) (1) Any governing body subject to the provisions of this section that does not comply with subsection (b) shall refund to taxpayers any property taxes over-collected based on the amount of the levy that was in excess of the revenue neutral rate.

(2) Any taxpayer of the taxing subdivision that is the subject of the complaint or such taxpayer's duly authorized representative may file a complaint with the state board of tax appeals by filing a written complaint, on a form prescribed by the board, that contains the facts that the complaining party believes show that a governing body of a

taxing subdivision did not comply with the provisions of subsection (b) and that a reduction or refund of taxes is appropriate. The complaining party shall provide a copy of such complaint to the governing body of the taxing subdivision making the levy that is the subject of the complaint. Notwithstanding K.S.A. 74-2438a, and amendments thereto, no filing fee shall be charged by the executive director of the state board of tax appeals for a complaint filed pursuant to this paragraph. The governing body of the taxing subdivision making the levy that is the subject of the complaint shall be a party to the proceeding. Notice of any summary proceeding or hearing shall be served upon such governing body, the county clerk, the director of accounts and reports and the complaining party. It shall be the duty of the governing body to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity of such levy. If upon a summary proceeding or hearing, it shall be made to appear to the satisfaction of the board that the governing body of the taxing subdivision did not comply with subsection (b), the state board of tax appeals shall order such governing body to refund to taxpayers the amount of property taxes over collected or reduce the taxes levied, if uncollected. The provisions of this paragraph shall not be construed as prohibiting any other remedies available under the law.

(d) On and after January 1, 2022, in the event that the ~~20-mills tax~~ levied by a school district pursuant to K.S.A. 72-5142, and amendments thereto, increases the property tax revenue generated for the purpose of calculating the revenue neutral rate from the previous tax year and such amount of increase in revenue generated from ~~the 20-mills such tax levied~~ is the only reason ~~that~~ the school district would exceed the total property tax revenue from the prior year, the school district shall be deemed to not have exceeded the revenue neutral rate in levying a tax rate in excess of the revenue neutral rate to take into account the increase in revenue from ~~only the 20-mills such tax levied~~.

(e) (1) Notwithstanding any other provision of law to the contrary, if the governing body of a taxing subdivision must conduct a public hearing to approve exceeding the revenue neutral rate under this section, the governing body of the taxing subdivision shall certify, on or before October 1, to the proper county clerk the amount of ad valorem tax to be levied.

(2) If a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and certifies to the county clerk an amount of ad valorem tax to be levied that would result in a tax rate in excess of its revenue neutral rate, the county clerk shall reduce the ad valorem tax to be levied to the amount resulting from such taxing subdivision's revenue neutral rate.

(f) As used in this section:

(1) "Taxing subdivision" means any political subdivision of the state that levies an ad valorem tax on property.

(2) "Revenue neutral rate" means the tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year's total assessed valuation. To calculate the revenue neutral rate, the county clerk shall divide the property tax revenue for such taxing subdivision levied for the previous tax year by the total of all taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply the quotient by 1,000 to express the rate in mills. The revenue neutral rate shall be expressed to the third decimal place.

(g) In the event that a county clerk incurred costs of printing and postage that were not reimbursed pursuant to K.S.A. 2023 Supp. 79-2989, and amendments thereto, such

county clerk may seek reimbursement from all taxing subdivisions required to send the notice. Such costs shall be shared proportionately by all taxing subdivisions that were included on the same notice based on the total property tax levied by each taxing subdivision. Payment of such costs shall be due to the county clerk by December 31.

(h) The department of administration or the director of accounts and reports shall make copies of adopted budgets, budget certificates, other budget documents and revenue neutral rate documents available to the public on the department of administration's website on a permanently accessible web page that may be accessed via a conspicuous link to that web page placed on the front page of the department's website. The department of administration or the director of accounts and reports shall also make the following information for each tax year available on such website:

- (1) A list of taxing subdivisions by county;
- (2) whether each taxing subdivision conducted a hearing to consider exceeding its revenue neutral rate;
- (3) the revenue neutral rate of each taxing subdivision;
- (4) the tax rate resulting from the adopted budget of each taxing subdivision; and
- (5) the percent change between the revenue neutral rate and the tax rate for each taxing subdivision.

Sec. 15. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) ~~For tax year 2012:~~

If the taxable income is:	The tax is:
Not over \$30,000	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000	\$2,925 plus 6.45% of excess over \$60,000

~~(B) For tax year 2013:~~

If the taxable income is:	The tax is:
Not over \$30,000	3.0% of Kansas taxable income
Over \$30,000	\$900 plus 4.9% of excess over \$30,000

~~(C) For tax year 2014:~~

If the taxable income is:	The tax is:
Not over \$30,000	2.7% of Kansas taxable income
Over \$30,000	\$810 plus 4.8% of excess over \$30,000

~~(D) For tax years 2015 and 2016:~~

If the taxable income is:	The tax is:
Not over \$30,000	2.7% of Kansas taxable income
Over \$30,000	\$810 plus 4.6% of excess over \$30,000

~~(E) For tax year 2017:~~

If the taxable income is:	The tax is:
Not over \$30,000	2.9% of Kansas taxable income
Over \$30,000 but not over \$60,000	\$870 plus 4.9% of excess over \$30,000
Over \$60,000	\$2,340 plus 5.2% of excess over \$60,000

(F) For tax-year years 2018, and all tax years thereafter through 2023:

If the taxable income is:	The tax is:
Not over \$30,000	3.1% of Kansas taxable income
Over \$30,000 but not over \$60,000	\$930 plus 5.25% of excess over \$30,000
Over \$60,000	\$2,505 plus 5.7% of excess over \$60,000

(B) For tax year 2024, and all tax years thereafter:

If the taxable income is:	The tax is:
Not over \$46,000	5.2% of Kansas taxable income
Over \$46,000	\$2,392 plus 5.57% of excess over \$46,000

(2) All other individuals.

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$15,000	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000	\$525 plus 6.25% of excess over \$15,000
Over \$30,000	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000	3.0% of Kansas taxable income
Over \$15,000	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000	2.7% of Kansas taxable income
Over \$15,000	\$405 plus 4.8% of excess over \$15,000

(D) For tax years 2015 and 2016:

If the taxable income is:	The tax is:
Not over \$15,000	2.7% of Kansas taxable income
Over \$15,000	\$405 plus 4.6% of excess over \$15,000

(E) For tax year 2017:

If the taxable income is:	The tax is:
Not over \$15,000	2.9% of Kansas taxable income
Over \$15,000 but not over \$30,000	\$435 plus 4.9% of excess over \$15,000

Over \$30,000	\$1,170 plus 5.2% of excess over
	<u>\$30,000</u>

~~(F) For tax-year years 2018, and all tax years thereafter through 2023:~~

If the taxable income is:	The tax is:
Not over \$15,000.....	3.1% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$465 plus 5.25% of excess
	over \$15,000
Over \$30,000.....	\$1,252.50 plus 5.7% of excess
	over \$30,000

(B) For tax year 2024, and all tax years thereafter:

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$23,000.....</u>	<u>5.2% of Kansas taxable income</u>
<u>Over \$23,000.....</u>	<u>\$1,196 plus 5.57% of excess</u>
	<u>over \$23,000</u>

(b) *Nonresident individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows unless otherwise modified pursuant to K.S.A. 2023 Supp. 74-50,321, and amendments thereto:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) ~~hereof~~.

(e) Notwithstanding the provisions of subsections (a) and (b): ~~(1) For tax years 2016 and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2), for tax-year years 2018, and all tax years thereafter through 2023, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.~~

~~(f) No taxpayer shall be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.~~

Sec. 16. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in

federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted

gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xv) or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned

subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2023 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2023 Supp. 58-4904(e), and amendments thereto.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by

taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

~~(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and (A) For all taxable years beginning after December 31, 2007, and ending before January 1, 2024, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.~~

(B) For all taxable years beginning after December 31, 2023, amounts received as benefits under the federal social security act that are included in federal adjusted gross income of a taxpayer.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to

the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2023 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment

determined under K.S.A. 79-32,135, and amendments thereto.

(c) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 17. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,119 is hereby amended to read as follows: 79-32,119. (a) The Kansas standard deduction of an individual, including a husband and wife who are either both residents or who file a joint return as if both were residents, shall be equal to the sum of the standard deduction amount allowed pursuant to this section, and the additional standard deduction amount allowed pursuant to this section for each such deduction allowable to such individual or to such husband and wife under the federal internal revenue code.

(b) For tax year 1998, and all tax years thereafter, the additional standard deduction amount shall be as follows: Single individual and head of household filing status, \$850; and married filing status, \$700.

~~(c) (1) For tax year 2013 through tax year 2020, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,000; married filing status, \$7,500; and head of household filing status, \$5,500.~~

~~(2) For tax year years 2021, and all tax years thereafter through 2023, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,500; married filing status, \$8,000; and head of household filing status, \$6,000.~~

(2) For tax year 2024, and all tax years thereafter, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,605; married filing status, \$8,240; and head of household filing status, \$6,180.

(d) For purposes of this section, the federal standard deduction allowable to a husband and wife filing separate Kansas income tax returns shall be determined on the basis that separate federal returns were filed, and the federal standard deduction of a husband and wife filing a joint Kansas income tax return shall be determined on the basis that a joint federal income tax return was filed.

Sec. 18. On and after July 1, 2024, K.S.A. 2023 Supp. 79-32,121 is hereby amended to read as follows: 79-32,121. ~~(a) An individual For tax year 2024, and all tax years thereafter, a taxpayer shall be allowed a Kansas exemption of \$2,250 for each exemption as follows:~~

~~(1) In the case of married individuals filing a joint return, a personal exemption of \$18,320;~~

~~(2) in the case of all other individuals with a filing status of single, head of household or married filing separate, a personal exemption of \$9,160; and~~

~~(3) in addition to the amount allowed pursuant to paragraph (1) or (2), a personal exemption of \$2,320 for each dependent for which such individual taxpayer is entitled to a deduction for the taxable year for federal income tax purposes.~~

(b) In addition to the exemptions provided in subsection (a), any individual who has been honorably discharged from active service in any branch of the armed forces of the United States and who is certified by the United States department of veterans

affairs or its successor to be in receipt of disability compensation at the 100% rate, if the disability is permanent and was sustained through military action or accident or resulted from disease contracted while in such active service, such individual shall be allowed an additional Kansas exemption of \$2,250 for tax year 2023 and all tax years thereafter.

Sec. 19. K.S.A. 2023 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.5%. On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project.

Such tax shall be imposed upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club,

drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and

amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible

personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" means the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" means only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" means a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" means only those enclosures within which individuals customarily live;

(5) "utility structure" means transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" means straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically

transferred to the purchaser or by load and leave;

- (t) the gross receipts received for telephone answering services;
- (u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 79-3673, and amendments thereto;
- (v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section;
- (w) all sales of charitable raffle tickets in accordance with K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and
- (x) commencing on January 1, 2023, and thereafter, the state rate on the gross receipts from the sale of food and food ingredients shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

Sec. 20. K.S.A. 2023 Supp. 79-3603d is hereby amended to read as follows: 79-3603d. (a) There is hereby levied and there shall be collected and paid a tax upon the gross receipts from the sale of food and food ingredients. The rate of tax shall be as follows:

- (1) Commencing on January 1, 2023, at the rate of 4%;
- (2) commencing on January 1, 2024, at the rate of 2%; and
- (3) commencing on ~~January 1, 2025~~ July 1, 2024, and thereafter, at the rate of 0%.
- (b) The provisions of this section shall not apply to prepared food unless sold without eating utensils provided by the seller and described below:
 - (1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);
 - (2) (A) food sold in an unheated state by weight or volume as a single item; or
 - (B) only meat or seafood sold in an unheated state by weight or volume as a single item;
 - (3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or
 - (4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption.
- (c) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 21. K.S.A. 2023 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify

the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary,

Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 22. K.S.A. 2023 Supp. 79-3703 is hereby amended to read as follows: 79-3703. (a) There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%.

(b) Commencing on January 1, 2023, and thereafter, the state rate on the amount equal to the consideration paid by the taxpayer from the sale of food and food ingredients as provided in K.S.A. 79-3603, and amendments thereto, shall be as set forth in K.S.A. 2023 Supp. 79-3603d, and amendments thereto.

(c) On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2024, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2023 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

(d) Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project.

(e) All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 23. K.S.A. 2023 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A.

2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2024, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2023 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the

transfer, storage and distribution of freight through railway and trucking operations.

Sec. 24. K.S.A. 2023 Supp. 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 are hereby repealed.

Sec. 25. On and after July 1, 2024, K.S.A. 19-2694, 65-163j, 65-3306, 65-3327, 75-2556, 79-1107, 79-1108, 79-1479, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 72-5142, 74-8768, 79-201x, 79-2959, 79-2964, 79-2988, 79-32,110, 79-32,117, 79-32,119 and 79-32,121 are hereby repealed.";

Also on page 5, in line 23, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 8; in line 9, by striking all before the period and inserting "taxation; relating to income tax; modifying tax rates for individuals; eliminating the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction and the Kansas personal exemption; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; decreasing the rate of ad valorem tax imposed by a school district; abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund and providing for certain transfers to the state school district finance fund; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-1107, 79-1108 and 79-1479 and K.S.A. 2023 Supp. 72-5142, 74-8768, 79-201x, 79-2988, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 79-2959 and 79-2964";

And your committee on conference recommends the adoption of this report.

ADAM SMITH

BRIAN BERGKAMP

TOM SAWYER

Conferees on part of House

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

Senator Tyson moved the Senate adopt the Conference Committee Report on **H Sub SB 37**.

On roll call, the vote was: Yeas 25; Nays 9; Present and Passing 1; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Holland, Olson, Pettey, Reddi, Sykes, Ware.

Present and Passing: Haley.

Absent or Not Voting: Doll, Holscher, Longbine, McGinn, O'Shea.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 172** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 172, as follows:

On page 1, in line 20, by striking "8" and inserting "9"; in line 36, by striking all after "(A)";

On page 2, by striking all in lines 1 through 6; in line 7, by striking "(G)" and inserting "Any foreign adversary, as such term is defined by 15 C.F.R. § 7.4, as in effect on April 1, 2024; and

(B)";

On page 4, in line 28, by striking "150" and inserting "100"; in line 42, by striking "and"; in line 43, by striking all before "shall";

On page 5, in line 1, by striking all after "property"; by striking all in lines 2 through 6; in line 7, by striking all before the period; in line 8, by striking "(3)" and inserting "(2)"; in line 31, by striking all after "(a)"; by striking all in lines 32 through 34; in line 35, by striking all before "violation" and inserting "The attorney general shall investigate any suspected"; in line 36, by striking all after (b); in line 37, by striking all before "the" and inserting "A foreign principal who is subject to the requirements of section 3, and amendments thereto, may enter into an agreement with the attorney general to divest such foreign principal's interest in real property not more than 360 days from entering into such agreement.

(c)";

On page 6, following line 2, by inserting:

"(d) (1) Upon a determination by a court of competent jurisdiction that the defendant has violated the requirements of section 3, and amendments thereto, the defendant shall have not more than 180 days from the date of such determination to divest such defendant's interest in such real property or to otherwise come into compliance with the provisions of section 3, and amendments thereto.

(2) If such defendant is ordered by the court to divest such defendant's interest in the real property and such defendant had acquired such interest prior to July 1, 2024, such defendant may file a claim against the state pursuant to article 9 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, for any difference in the sales price of the real property caused by such court-ordered divestiture.";

Also on page 6, in line 19, by striking "and" and inserting a comma; in line 20, after "senate" by inserting ", the standing committee on federal and state affairs of the house of representatives and the standing committee on federal and state affairs of the senate. Such report shall detail the implementation of the Kansas land and military installation protection act and include the attorney general's recommended amendments to the definition of country of concern, if any"; following line 37, by inserting:

"New Sec. 8. On or before March 1 of each year, Kansas state university shall use available data and resources to prepare and submit a report to the legislature and the attorney general detailing the status and trends of all foreign land holdings of real property within the state of Kansas.";

Also on page 6, in line 38, by striking "7" and inserting "8"; in line 39, by striking "7" and inserting "8"; in line 42, by striking "7" and inserting "8";

And by renumbering sections accordingly;
 On page 1, in the title, in line 2, after "land" by inserting "and";
 And your committee on conference recommends the adoption of this report.

SEAN TARWATER

JESSE BORJON

Conferees on part of House

MIKE THOMPSON

RICK KLOOS

Conferees on part of Senate

Senator Thompson moved the Senate adopt the Conference Committee Report on **H Sub SB 172**.

A motion to not adopt the Conference Committee Report and appoint a new conference failed.

On roll call, the vote was: Yeas 24; Nays 14; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Dietrich.

Absent or Not Voting: Longbine.

The Conference Committee Report was adopted

EXPLANATION OF VOTE

I vote NO on **H Sub SB 172**. I strongly concur with the concept of protecting our military and other governmental sites from any proximate harm, especially from an adversary of our State's or nation's security. But this bill as written is blatantly unconstitutional as it supports forced seizure and involuntary sale of private property. This will cause significant litigation against Kansas for various causes of actions by aggrieved landowners, current and future. Lawsuit costs and judgments taken against the State could prove to be astronomical. Made known to our taxpayers, I intend to widely proclaim I voted NO on **H Sub SB 172**.—DAVID HALEY

Senator Holland requests the record to show he concurs with the "Explanation of Vote" offered by Senator Haley on **H Sub SB 172**.

I vote Aye in strong support of **H Sub SB 172** to defend the Great State of Kansas and our Nation from foreign invasion. The issue of Foreign ownership of Kansas property is not only a matter of National Security, it's also a matter of Food Security. Our Landowners and Ag Producers have been diligent and effective in making sure that their voices are heard within the Ag Lobbying Organizations. The Kansas Farmer wants the legislature to stand in solidarity with them in defending their land and livelihood from Foreign Adversaries. Today we reassure all Kansans that we fully support defending their property rights while also protecting the Future of Kansas.—ALICIA STRAUB

Senator Steffen requests the record to show he concurs with the "Explanation of Vote" offered by Senator Straub on **H Sub SB 172**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 287** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, in line 7, before "Section" by inserting "New";

On page 2, following line 23, by inserting:

"New Sec. 2. (a) This section shall be known and may be cited as the no patient left alone act.

(b) As used in this section:

(1) "Essential caregiver" means an individual designated by the patient who meets an essential need of the patient by assisting with the tasks of daily living or providing important emotional, social or psychological support;

(2) "immediate family member" means father, mother, stepparent, child, grandchild, stepchild, sibling, spouse or grandparent of the patient;

(3) "patient" means an individual who is receiving care at a patient care facility; and

(4) "patient care facility" includes any adult care home as defined in K.S.A. 39-923, and amendments thereto, and any medical care facility as defined in K.S.A. 65-425, and amendments thereto, except that "patient care facility" includes a hospice that is certified to participate in the medicare program under 42 C.F.R. § 418.1 et seq., and that provides services only to hospice patients.

(c) When providing end-of-life care, a patient care facility shall not:

(1) Take action to prevent a patient from receiving in-person visitation from any person designated by the patient, if the patient has the capacity to make such designation, or any person designated by the patient's agent for healthcare decisions established by a durable power of attorney for healthcare decisions pursuant to K.S.A. 58-625 et seq., and amendments thereto, if the patient does not have such capacity. Such visitor may include, but shall not be limited to:

(A) An immediate family member, domestic partner or significant other;

(B) the agent for healthcare decisions established by a durable power of attorney for healthcare decisions pursuant to K.S.A. 58-625 et seq., and amendments thereto;

(C) an essential caregiver; or

(D) a minister, priest, rabbi or clergyperson of any religious denomination or sect to which the patient is an adherent; or

(2) prohibit a patient from receiving in-person visitation from one or more individuals at a time.

(d) A patient may refuse in-person visitation or revoke previously granted in-person visitation from any person at any time.

(e) Prior to September 1, 2024, each patient care facility may establish visitation policies and procedures, including, but not limited to:

(1) Infection control protocols and education for visitors;

(2) a set schedule of dates and times when visitation is allowed;

- (3) allowable visit length; and
- (4) limits on number of visitors.
- (f) Visitation policies and procedures adopted under this section shall:
 - (1) Allow in-person visitation, unless the patient objects, when the patient is:
 - (A) Receiving end-of-life care;
 - (B) making one or more major medical decisions;
 - (C) experiencing emotional distress or grieving the recent loss of a friend or family member;
 - (D) experiencing functional, cognitive or nutritional decline;
 - (E) struggling with the change in environment at the patient care facility after having previously lived with such patient's immediate family member;
 - (F) admitted to a patient care facility for childbirth, including care related to a miscarriage or stillbirth; or
 - (G) under 18 years of age;
 - (2) be provided to the patient care facility's licensing agency at the time of initial licensure or renewal or any time upon request; and
 - (3) be easily accessible from the homepage of the patient care facility's website.
 - (g) Visitation policies and procedures adopted under this section shall not contain more stringent infection control protocols for visitors than for employees of the patient care facility who are providing direct care to patients.
 - (h) A patient care facility may:
 - (1) Adopt visitation policies and procedures that are more stringent for intensive or critical care units;
 - (2) modify visitation based on a patient's condition or need for rest;
 - (3) require a visitor to agree in writing to follow the facility's policies and procedures;
 - (4) temporarily suspend a visitor's in-person visitation if such visitor violates the facility's policies and procedures;
 - (5) revoke a visitor's in-person visitation if such visitor repeatedly violates the facility's policies and procedures or displays any violent or aggressive behavior; and
 - (6) notwithstanding subsection (g), require a visitor to adhere to infection control procedures, including wearing personal protective equipment.
 - (i) The department of health and environment shall publish on its website:
 - (1) An explanation of this section's visitation requirements; and
 - (2) a link for individuals to report complaints alleging violations of this section by a patient care facility.
 - (j) A patient care facility shall be immune from civil liability for damages for acts taken in compliance with this section unless such act constitutes gross negligence or willful, wanton or reckless conduct.
 - (k) Nothing in this section shall be construed to:
 - (1) Supersede any federal laws, rules or regulations regarding patient care facilities; or
 - (2) prohibit a patient care facility from taking actions, including those based on guidance from the centers for medicare and medicaid services, necessary to ensure that such patient care facility remains eligible for federal financial participation, federal funds or participation in federal programs and for reimbursement for services provided in such patient care facility.

Sec. 3. On and after the date of publication in the Kansas register of the notice prescribed in section 4, K.S.A. 2023 Supp. 65-484 is hereby amended to read as follows: 65-484. (a) A facility shall be eligible to apply for a rural emergency hospital license if such facility, as of December 27, 2020, was a:

- (1) Licensed critical access hospital;
- (2) general hospital with not more than 50 licensed beds located in a county in a rural area as defined in section 1886(d)(2)(D) of the federal social security act; or
- (3) general hospital with not more than 50 licensed beds that is deemed as being located in a rural area pursuant to section 1886(d)(8)(E) of the federal social security act.

(b)(1) A facility shall be eligible to apply for a rural emergency hospital license if such facility, at any point during the period beginning on January 1, 2015, and ending on December 26, 2020, was a facility described in subsection (a) or became a department of a provider or provider-based entity.

(2) A facility may qualify for licensure under this subsection notwithstanding whether such facility was enrolled in medicare under a different United States centers for medicare and medicaid services certification number if such facility remains within the same zip code as when the facility originally received such facility's certification number.

(3) As used in this subsection, "provider-based entity" means the same as defined in 42 C.F.R. § 413.65.

(c) A facility applying for licensure as a rural emergency hospital shall include with the licensure application:

- (1) An action plan for initiating rural emergency hospital services, including a detailed transition plan that lists the specific services that the facility will retain, modify, add and discontinue;
- (2) a description of services that the facility intends to provide on an outpatient basis; and
- (3) such other information as required by rules and regulations adopted by the department of health and environment.

~~(d)~~ (d) A rural emergency hospital shall not have inpatient beds, except that such hospital may have a unit that is a distinct part of such hospital and that is licensed as a skilled nursing facility to provide post-hospital extended care services.

~~(e)~~ (e) A rural emergency hospital may own and operate an entity that provides ambulance services.

~~(f)~~ (f) A licensed general hospital ~~or~~ critical access hospital, provider-based entity or provider department that applies for and receives licensure as a rural emergency hospital and elects to operate as a rural emergency hospital shall retain its original license as a general hospital or critical access hospital. Such original license shall remain inactive while the rural emergency hospital license is in effect.

New Sec. 4. When the rural emergency hospital adjustment act, S. 3394, 118th Cong. (2023) or H.R. 7759, 118th Cong. (2024) is passed into law, the attorney general shall certify such bill's passage to the secretary of state. Upon receipt of such certification, the secretary of state shall publish such certification in the Kansas register.

Sec. 5. K.S.A. 2023 Supp. 65-16,127 is hereby amended to read as follows: 65-16,127. (a) As used in this section:

- (1) "Bystander" means a family member, friend, caregiver or other person in a

position to assist a person who the family member, friend, caregiver or other person believes, in good faith, to be experiencing an opioid overdose.

(2) "Emergency opioid antagonist" means any drug that inhibits the effects of opioids and that is approved by the United States food and drug administration for the treatment of an opioid overdose.

(3) "First responder" includes any emergency medical service provider, as defined by K.S.A. 65-6112, and amendments thereto, any law enforcement officer, as defined by K.S.A. 22-2202, and amendments thereto, and any actual member of any organized fire department, whether regular or volunteer.

(4) "First responder agency" includes, but is not limited to, any law enforcement agency, fire department or criminal forensic laboratory of any city, county or the state of Kansas.

(5) "Opioid antagonist protocol" means the protocol established by the state board of pharmacy pursuant to subsection (b).

(6) "Opioid overdose" means an acute condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, mania or death, resulting from the consumption or use of an opioid or another substance with which an opioid was combined, or that a layperson would reasonably believe to be resulting from the consumption or use of an opioid or another substance with which an opioid was combined, and for which medical assistance is required.

(7) "Patient" means a person believed to be at risk of experiencing an opioid overdose.

(8) "School nurse" means a professional nurse licensed by the board of nursing and employed by a school district to perform nursing procedures in a school setting.

(9) "Healthcare provider" means a physician licensed to practice medicine and surgery by the state board of healing arts, a licensed dentist, a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto, or any person authorized by law to prescribe medication.

(b) The state board of pharmacy shall issue a statewide opioid antagonist protocol that establishes requirements for a licensed pharmacist to dispense emergency opioid antagonists to a person pursuant to this section. The opioid antagonist protocol shall include procedures to ensure accurate recordkeeping and education of the person to whom the emergency opioid antagonist is furnished, including, but not limited to: Opioid overdose prevention, recognition and response; safe administration of an emergency opioid antagonist; potential side effects or adverse events that may occur as a result of administering an emergency opioid antagonist; a requirement that the administering person immediately contact emergency medical services for a patient; and the availability of drug treatment programs.

(c) A pharmacist may furnish an emergency opioid antagonist to a patient or bystander subject to the requirements of this section, the pharmacy act of the state of Kansas and any rules and regulations adopted by the state board of pharmacy thereunder.

(d) A pharmacist furnishing an emergency opioid antagonist pursuant to this section may not permit the person to whom the emergency opioid antagonist is furnished to waive any consultation required by this section or any rules and regulations adopted thereunder.

(e) Any first responder, scientist or technician operating under a first responder

agency or school nurse is authorized to possess, store, distribute and administer emergency opioid antagonists as clinically indicated, provided that all personnel with access to emergency opioid antagonists are trained, at a minimum, on the following:

- (1) Techniques to recognize signs of an opioid overdose;
- (2) standards and procedures to store, distribute and administer an emergency opioid antagonist;
- (3) emergency follow-up procedures, including the requirement to summon emergency ambulance services either immediately before or immediately after administering an emergency opioid antagonist to a patient; and
- (4) inventory requirements and reporting any administration of an emergency opioid antagonist to a healthcare provider.

(f) (1) Any first responder agency electing to provide an emergency opioid antagonist to its employees or volunteers for the purpose of administering the emergency opioid antagonist shall procure the services of a physician to serve as physician medical director for the first responder agency's emergency opioid antagonist program.

(2) The first responder agency shall utilize the physician medical director or a licensed pharmacist for the purposes of:

- (A) Obtaining a supply of emergency opioid antagonists;
- (B) receiving assistance developing necessary policies and procedures that comply with this section and any rules and regulations adopted thereunder;
- (C) training personnel; and
- (D) coordinating agency activities with local emergency ambulance services and medical directors to provide quality assurance activities.

(g) (1) Any healthcare provider or pharmacist who, in good faith and with reasonable care, prescribes or dispenses an emergency opioid antagonist pursuant to this section shall not, by an act or omission, be subject to civil liability, criminal prosecution or any disciplinary or other adverse action by a professional licensure entity arising from the healthcare provider or pharmacist prescribing or dispensing the emergency opioid antagonist.

(2) Any patient, bystander, school nurse, or a first responder, scientist or technician operating under a first responder agency, who, in good faith and with reasonable care, receives and administers an emergency opioid antagonist pursuant to this section to a person experiencing a suspected opioid overdose shall not, by an act or omission, be subject to civil liability or criminal prosecution, unless personal injury results from the gross negligence or willful or wanton misconduct in the administration of the emergency opioid antagonist.

(3) Any first responder agency employing or contracting any person that, in good faith and with reasonable care, administers an emergency opioid antagonist pursuant to this section to a person experiencing a suspected opioid overdose shall not, by an act or omission, be subject to civil liability, criminal prosecution, any disciplinary or other adverse action by a professional licensure entity or any professional review.

(h) The state board of pharmacy shall adopt rules and regulations as may be necessary to implement the provisions of this section prior to January 1, 2018.

(i) This section shall be a part of and supplemental to the pharmacy act of the state of Kansas.

Sec. 6. K.S.A. 65-6144 is hereby amended to read as follows: 65-6144. (a) An

emergency medical responder may perform any of the following interventions, by use of the devices, medications and equipment, or any combination thereof, after successfully completing an approved course of instruction, local specialized device training and competency validation and when authorized by medical protocols, or upon order when direct communication is maintained by radio, telephone or video conference is monitored by a physician, physician assistant when authorized by a physician, an advanced practice registered nurse when authorized by a physician or a professional nurse when authorized by a physician, upon order of such person:

- (1) Emergency vehicle operations;
- (2) initial scene management;
- (3) patient assessment and stabilization;
- (4) cardiac arrest management through the use of cardiopulmonary resuscitation and the use of an automated external defibrillator;
- (5) airway management and oxygen therapy;
- (6) utilization of equipment for the purposes of acquiring an EKG rhythm strip;
- (7) control of bleeding;
- (8) extremity splinting;
- (9) spinal immobilization;
- (10) nebulizer therapy;
- (11) intramuscular injections with auto-injector;
- (12) administration of medications as approved by the board by appropriate routes;
- (13) recognize and comply with advanced directives;
- (14) use of blood glucose monitoring;
- (15) ~~assist~~ assistance with childbirth;
- (16) non-invasive monitoring of hemoglobin derivatives;
- (17) distribution of non prescription, over-the-counter medications as approved by the service medical director, except an emergency medical responder shall not distribute:

(A) Any compound, mixture, or preparation that contains any detectable quantity of ephedrine, its salts or optical isomers, or salts of optical isomers and is exempt from being reported to the statewide electronic logging system for the sale of methamphetamine precursors; or

(B) any compound, mixture, or preparation that contains any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers and is exempt from being reported to the statewide electronic logging system for the sale of methamphetamine precursors; and

~~(17)~~(18) other techniques and devices of preliminary care an emergency medical responder is trained to provide as approved by the board.

Sec. 7. On and after the date of publication in the Kansas register of the notice prescribed in section 4, K.S.A. 2023 Supp. 65-484 is hereby repealed.

Sec. 8. K.S.A. 65-6144 and K.S.A. 2023 Supp. 65-16,127 are hereby repealed.

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "children and"; in line 2, by striking "minors" and inserting "healthcare providers"; in line 4, after "consent" by inserting "; enacting the no patient left alone act to require hospitals, adult care homes and hospice facilities to allow in-person visitation in certain circumstances; authorizing such patient care facilities to adopt visitation policies and procedures; expanding licensure of rural

emergency hospitals that meet criteria between January 2015 and December 2020; relating to emergency medical responder authorized activities; authorizing distribution of non prescription over-the-counter medications; amending K.S.A. 65-6144 and K.S.A. 2023 Supp. 65-484 and 65-16,127 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

Senator Gossage moved the Senate adopt the Conference Committee Report on **H Sub SB 287**.

On roll call, the vote was: Yeas 26; Nays 10; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, McGinn, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Holscher, Longbine, Olson, Pyle.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

I voted for **H Sub SB 287** because it helps hold hospitals accountable going forward regarding patient visitation rights. Federal rules, regulations and laws all demand visitation rights. Yet, during the Covid debacle, hospitals left their patients to suffer and die alone. Hospitals failed our society and their patients during our time of need for the sake of money and convenience. Incredibly, they remain unapologetic.—MARK STEFFEN

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 339** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 6 through 36;

On page 2, by striking all in lines 1 through 29; following line 29 by inserting:

"Section 1.

DEPARTMENT OF EDUCATION

(a) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 72-3125 and 72-5131 et seq., and amendments thereto, or any other statute, no expenditures shall be made by the above agency from moneys appropriated from the

state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by section 3 of chapter 98 of the 2023 Session Laws of Kansas, section 2 of 2024 Senate Bill No. 387, this or other appropriation act of the 2024 regular session of the legislature, to distribute any state foundation aid moneys to a school district that has no students enrolled in and attending a school of such school district in school year 2024-2025: *Provided*, That if there are students who are residents of such school district enrolled in and attending any other school district, such students shall be counted as regularly enrolled in and attending school in such other school district and not in the school district of residence: *Provided further*, That the above agency shall distribute state foundation aid moneys accordingly to such other school district.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting "the department of education; making and concerning appropriations for the fiscal year ending June 30, 2025, for such agency; authorizing and imposing certain restrictions and limitations";

And your committee on conference recommends the adoption of this report.

KRISTEY WILLIAMS

JASON GOETZ

JARROD OUSLEY

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **SB 339**.

On roll call, the vote was: Yeas 34; Nays 3; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Masterson, McGinn, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Billinger, Pyle, Straub.

Absent or Not Voting: Holscher, Longbine, O'Shea.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2047** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2047, as follows:

On page 1, following line 8, by inserting:

"Section 1. K.S.A. 47-417 is hereby amended to read as follows: 47-417. (a) Any person may adopt a brand for the purpose of branding livestock in accordance with authorized rules and regulations of the animal health commissioner of the Kansas

department of agriculture division of animal health. Such person shall have the exclusive right to use such brand in this state, after ~~registering~~ receiving approval of the application for such brand with from the animal health commissioner.

(b) Any person desiring to register a livestock brand shall forward to the commissioner a facsimile of such brand and shall accompany the same with the ~~registration application~~ fee in the amount provided under this section. Upon a determination by the animal health commissioner that such brand is available for use and may be registered, the registrant shall, within 60 days of notice of such determination being sent by the animal health commissioner, remit to the animal health commissioner a brand registration fee in the amount provided under this section. If such brand registration fee is not paid as required under this section, the animal health commissioner may deny the application. Each person making application for the registering of an available livestock brand whose brand application is approved shall be issued a certificate of brand title upon remittance of the brand registration fee as provided under this section. Such Each brand title shall be valid for a recording period ending four years subsequent to the next April 1 following date of issuance. Separate application and registration fees shall be required for each brand for which registration is sought and each brand for which an application for registration is approved. The use of a brand for which a certificate of brand title has not been issued shall be unlawful and subject to penalties as provided in K.S.A. 47-421, and amendments thereto.

(c) ~~For the purpose of revising the brand records, the animal health commissioner shall collect~~ Each person wanting to renew a certificate of brand title held by such person shall, upon the expiration of the recording period for such certificate of brand title, remit to the animal health commissioner a renewal fee in the amount provided under this section on all brands upon which the recording period expires. Any person submitting such renewal fee shall be entitled to a renewal of registration of such person's livestock brand for a five-year period from the date of expiration of registration of such person's livestock brand as shown by such person's last certificate of brand title.

(d) The livestock brand of any person whose registration expires and who fails to pay such renewal fee within a grace period of 60 days after expiration of the registration period shall be forfeited. The use of a forfeited brand shall be unlawful and subject to penalties as provided in K.S.A. 47-421, and amendments thereto.

(e) Upon the forfeiture of a livestock brand, the animal health commissioner is authorized to receive and accept an application for such brand to the same extent as if such brand had never been issued to anyone as a registered brand.

(f) (1) The animal health commissioner shall determine annually the amount of funds which that will be required for the purposes for which the brand application, registration and renewal fees are charged and collected and shall fix and adjust from time to time each such fee in such reasonable amount as may be necessary for such purposes, except that in no case shall either the following exceed \$100:

(A) The brand renewal fee; or

(B) the total of the brand application fee and registration fee or the renewal fee exceed \$55.

(2) The amounts of the brand application fee, registration fee and the renewal fee in effect on the day preceding the effective date of this act June 30, 2024, shall continue in effect until the animal health commissioner fixes different amounts for such fees under this section.";

Also on page 1, in line 12, after "(a)" by inserting "'Aircraft" means the same as defined in 14 C.F.R. § 1.1, as in effect on July 1, 2024.

(b)";

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

On page 4, in line 13, after "K.S.A." by inserting "47-417,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to livestock marks and brands; requiring approval of livestock brand applications by the animal health commissioner; submission of brand application and registration fees; increasing the maximum amount for brand registration and renewal fees;"; in line 6, after "K.S.A." by inserting "47-417,";

And your committee on conference recommends the adoption of this report.

VIRGIL PECK

CAROLYN MCGINN

MARY WARE

Conferees on part of Senate

KEN RAHJES

LISA MOSER

SYDNEY CARLIN

Conferees on part of House

Senator Peck moved the Senate adopt the Conference Committee Report on **S Sub HB 2047**.

On roll call, the vote was: Yeas 34; Nays 2; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Warren, Wilborn.

Nays: Tyson, Ware.

Absent or Not Voting: Holscher, Longbine, Olson, Pyle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2096** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

ADAM SMITH
 BRIAN BERGKAMP
 TOM SAWYER

Conferees on part of House

On motion of Senator Tyson the Senate adopted the conference committee report on **HB 2096**, and requested a new conference be appointed.

The President appointed Senators Tyson, Peck and Holland as a third Conference Committee on the part of the Senate on **HB 2096**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2096** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 9 through 36; following line 36, by inserting:

"New Section 1. (a) This act shall be known and may be cited as the veterans' valor property tax relief act.

(b) There shall be allowed as a credit against the tax liability of a taxpayer imposed under the Kansas income tax act for tax year 2024, and all tax years thereafter, in an amount equal to 75% of the amount of property and ad valorem taxes actually and timely paid by a taxpayer who has been deemed to be permanently and totally disabled or unemployable pursuant to 38 C.F.R. § 3.340 if such taxes were paid upon real or personal property used for residential purposes of such taxpayer that is the taxpayer's principal place of residence for the tax year in which the tax credit is claimed.

(c) The amount of any such credit for any such taxpayer shall not exceed the amount of property and ad valorem taxes paid by such taxpayer as specified in this section. A taxpayer shall not take the credit pursuant to this section if such taxpayer has received a homestead property tax refund pursuant to K.S.A. 79-4501 et seq., and amendments thereto, or a credit pursuant to the selective assistance for effective senior relief pursuant to K.S.A. 79-32,263, and amendments thereto, for such property for such tax year.

(d) Subject to the provisions of this section, if the amount of such tax credit exceeds the taxpayer's income tax liability for the taxable year, the amount of such excess credit that exceeds such tax liability shall be refunded to the taxpayer.

(e) The secretary of revenue shall adopt rules and regulations regarding the filing of documents that support the amount of the credit claimed pursuant to this section.

(f) The provisions of this act shall be a part of and supplemental to the homestead property tax refund act, except that the income or appraised valuation limits set forth in the homestead property tax refund act shall not apply to this section.

New Sec. 2. (a) The owner of any real property and personal property owned and operated by a business in the state of Kansas that is used by the business predominantly for child care center, health club or restaurant purposes and is located within the taxing jurisdiction of a governmental entity where there is at least one facility owned or operated by such governmental entity that competes against the business and such competing facility owned or operated by the governmental entity is exempt from

property or ad valorem taxes levied under any laws of the state of Kansas may make application to such governmental entity for a rebate in an amount equal to the amount of ad valorem property tax levied by such competing governmental entity upon such property for the tax year during which such competition occurred. The rebate shall only be granted if such competing activity by the governmental entity began after the business claiming the rebate began using the real and personal property for a qualifying purpose pursuant to this section.

(b) To be eligible for the rebate authorized by this section, the business owning and operating the described property herein shall be in compliance with state law, city ordinances and county resolutions and shall be current in the payment of state and local taxes.

(c) The owner requesting a rebate pursuant to this section shall be required to submit an application with any supporting documentation to the governing body of such governmental entity on or before December 20 of the year following the tax year at issue.

(d) If the governing body of the governmental entity determines that the owner is eligible for such rebate, such governmental entity shall provide the rebate from the general fund of such governmental entity.

(e) If the governing body of the governmental entity determines that the owner is not eligible for such rebate, the governing body shall provide a written final decision to the owner. The owner may appeal such final decision to the state board of tax appeals within 30 days after service of the final decision.

(f) For purposes of this section:

(1) "Competes against the business" means offering the same or substantially the same goods or services to the public and receiving any payment for those goods or services at least $\frac{1}{2}$ the number of days per tax year as the business claiming the rebate and such facility owned or operated by a governmental entity is used for the predominant purpose of a child care center, health club or restaurant and is located within the same city as or within five miles of the real property and personal property owned and operated by the business. "Competes against the business" does not include providing such goods or services without receiving payment for those goods or services or providing such goods or services predominantly to its own employees or students. "Competes against the business" does not include restaurants used for educational purposes.

(2) "Governmental entity" means any county or city. Any facility owned or operated by a governmental entity that is to be funded as a result of an election where voters of the governmental entity are asked to approve the imposition of a tax or other funding for the facility, its operations or the repayment of bonds related to such facility shall include in the description of the ballot proposition that such governmental facility may compete against businesses and cause private business to be eligible for a rebate.

(3) "Predominant purpose" means the primary reason individuals attend a facility owned or operated by a governmental entity and is not merely incidental to the operation of the facility. The provision of food at a facility owned or operated by a governmental entity shall not alone constitute the predominate purpose of a facility if the predominate purpose of the entire facility operates for reasons beyond restaurant purposes.

(4) "Real property and personal property owned and operated by a business" means

any real property and personal property where the owner of the property is a business enterprise that operates the business and collects the payment of a fee entitling the buyer to use the facility or sells goods or services to the buyer and such owner of the property and operator of the business enterprise are the same business entity, a parent or subsidiary of the same business entity or have any direct or indirect common ownership.

(g) The provisions of this section shall be applicable for tax years commencing after December 31, 2024.

New Sec. 3. (a) The following described property, to the extent herein specified, is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

- (1) Any off-road vehicle that is not operated upon any highway;
 - (2) any motorized bicycle, electric-assisted bicycle, electric-assisted scooter, electric personal assistive mobility device and motorized wheelchair as such terms are defined in K.S.A. 8-126, and amendments thereto;
 - (3) any trailer having a gross weight of 15,000 pounds or less that is used exclusively for personal use and not for the production of income; and
 - (4) any marine equipment.
- (b) For purposes of this section:
- (1) "Marine equipment" means any watercraft trailer designed to launch, retrieve, transport and store watercraft and any watercraft motor designed to operate watercraft on the water;
 - (2) "off-road motorcycle" means any motorcycle as defined in K.S.A. 8-126, and amendments thereto, that has been manufactured for off-road use only and is used exclusively off roads and highways; and
 - (3) "off-road vehicle" means:
 - (A) Any all-terrain vehicle, recreational off-highway vehicle and golf cart as such terms are defined in K.S.A. 8-126, and amendments thereto; and
 - (B) any off-road motorcycle and snowmobile.
- (c) The provisions of this section shall apply to all taxable years commencing after December 31, 2024.

Sec. 4. K.S.A. 79-213 is hereby amended to read as follows: 79-213. (a) Any property owner requesting an exemption from the payment of ad valorem property taxes assessed, or to be assessed, against their property shall be required to file an initial request for exemption, on forms approved by the state board of tax appeals and provided by the county appraiser.

(b) The initial exemption request shall identify the property for which the exemption is requested and state, in detail, the legal and factual basis for the exemption claimed.

(c) The request for exemption shall be filed with the county appraiser of the county where such property is principally located.

(d) After a review of the exemption request, and after a preliminary examination of the facts as alleged, the county appraiser shall recommend that the exemption request either be granted or denied, and, if necessary, that a hearing be held. If a denial is recommended, a statement of the controlling facts and law relied upon shall be included on the form.

(e) The county appraiser, after making such written recommendation, shall file the

request for exemption and the recommendations of the county appraiser with the state board of tax appeals. With regard to a request for exemption from property tax pursuant to the provisions of K.S.A. 79-201g and 82a-409, and amendments thereto, not filed with the board of tax appeals by the county appraiser on or before the effective date of this act, if the county appraiser recommends the exemption request be granted, the exemption shall be provided in the amount recommended by the county appraiser and the county appraiser shall not file the request for exemption and recommendations of the county appraiser with the state board of tax appeals. The county clerk or county assessor shall annually make such adjustment in the taxes levied against the real property as the owner may be entitled to receive under the provisions of K.S.A. 79-201g, and amendments thereto, as recommended by the county appraiser, beginning with the first period, following the date of issue of the certificate of completion on which taxes are regularly levied, and during the years which the landowner is entitled to such adjustment.

(f) Upon receipt of the request for exemption, the board shall docket the same and notify the applicant and the county appraiser of such fact.

(g) After examination of the request for exemption and the county appraiser's recommendation related thereto, the board may fix a time and place for hearing, and shall notify the applicant and the county appraiser of the time and place so fixed. A request for exemption pursuant to: (1) Section 13 of article 11 of the constitution of the state of Kansas; or (2) K.S.A. 79-201a *Second*, and amendments thereto, for property constructed or purchased, in whole or in part, with the proceeds of revenue bonds under the authority of K.S.A. 12-1740 through 12-1749, and amendments thereto, prepared in accordance with instructions and assistance which shall be provided by the department of commerce, shall be deemed approved unless scheduled for hearing within 30 days after the date of receipt of all required information and data relating to the request for exemption, and such hearing shall be conducted within 90 days after such date. Such time periods shall be determined without regard to any extension or continuance allowed to either party to such request. In any case where a party to such request for exemption requests a hearing thereon, the same shall be granted. Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act. In all instances where the board sets a request for exemption for hearing, the county shall be represented by its county attorney or county counselor.

(h) Except as otherwise provided by subsection (g), in the event of a hearing, the same shall be originally set not later than 90 days after the filing of the request for exemption with the board.

(i) During the pendency of a request for exemption, no person, firm, unincorporated association, company or corporation charged with real estate or personal property taxes pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, on the tax books in the hands of the county treasurer shall be required to pay the tax from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon and the same becomes a final order. In the event that taxes have been assessed against the subject property, no interest shall accrue on any unpaid tax for the year or years in question nor shall the unpaid tax be considered delinquent from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon. In the event the board determines an application for exemption is without merit and filed in bad faith to delay

the due date of the tax, the tax shall be considered delinquent as of the date the tax would have been due pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, and interest shall accrue as prescribed therein.

(j) In the event the board grants the initial request for exemption, the same shall be effective beginning with the date of first exempt use except that, with respect to property the construction of which commenced not to exceed 24 months prior to the date of first exempt use, the same shall be effective beginning with the date of commencement of construction.

(k) In conjunction with its authority to grant exemptions, the board shall have the authority to abate all unpaid taxes that have accrued from and since the effective date of the exemption. In the event that taxes have been paid during the period where the subject property has been determined to be exempt, the board shall have the authority to order a refund of taxes for the year immediately preceding the year in which the exemption application is filed in accordance with subsection (a).

(l) The provisions of this section shall not apply to: (1) Farm machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (2) personal property exempted from ad valorem taxation by K.S.A. 79-215, and amendments thereto; (3) wearing apparel, household goods and personal effects exempted from ad valorem taxation by K.S.A. 79-201c, and amendments thereto; (4) livestock; (5) all property exempted from ad valorem taxation by K.S.A. 79-201d, and amendments thereto; (6) merchants' and manufacturers' inventories exempted from ad valorem taxation by K.S.A. 79-201m, and amendments thereto; (7) grain exempted from ad valorem taxation by K.S.A. 79-201n, and amendments thereto; (8) property exempted from ad valorem taxation by K.S.A. 79-201a *Seventeenth*, and amendments thereto, including all property previously acquired by the secretary of transportation or a predecessor in interest, which is used in the administration, construction, maintenance or operation of the state system of highways. The secretary of transportation shall at the time of acquisition of property notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (9) property exempted from ad valorem taxation by K.S.A. 79-201a *Ninth*, and amendments thereto, including all property previously acquired by the Kansas turnpike authority which is used in the administration, construction, maintenance or operation of the Kansas turnpike. The Kansas turnpike authority shall at the time of acquisition of property notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (10) aquaculture machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto. As used in this section, "aquaculture" has the same meaning ascribed thereto by K.S.A. 47-1901, and amendments thereto; (11) Christmas tree machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (12) property used exclusively by the state or any municipality or political subdivision of the state for right-of-way purposes. The state agency or the governing body of the municipality or political subdivision shall at the time of acquisition of property for right-of-way purposes notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (13) machinery, equipment, materials and supplies exempted from ad valorem taxation by K.S.A. 79-201w, and amendments thereto; (14) vehicles owned by the state or by any

political or taxing subdivision thereof and used exclusively for governmental purposes; (15) property used for residential purposes which is exempted pursuant to K.S.A. 79-201x, and amendments thereto, from the property tax levied pursuant to K.S.A. 72-5142, and amendments thereto; (16) from and after July 1, 1998, vehicles which are owned by an organization having as one of its purposes the assistance by the provision of transit services to the elderly and to disabled persons and which are exempted pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto; (17) from and after July 1, 1998, motor vehicles exempted from taxation by K.S.A. 79-5107(e), and amendments thereto; (18) commercial and industrial machinery and equipment exempted from property or ad valorem taxation by K.S.A. 79-223, and amendments thereto; (19) telecommunications machinery and equipment and railroad machinery and equipment exempted from property or ad valorem taxation by K.S.A. 79-224, and amendments thereto; (20) property exempted from property or ad valorem taxation by K.S.A. 79-234, and amendments thereto; (21) recreational vehicles exempted from property or ad valorem taxation by K.S.A. 79-5121(e), and amendments thereto; (22) property acquired by a land bank exempt from property or ad valorem taxation pursuant to K.S.A. 12-5909 or K.S.A. 19-26,111, and amendments thereto; ~~and~~ (23) property belonging exclusively to the United States and exempted from ad valorem taxation by K.S.A. 79-201a *First*, and amendments thereto, except that the provisions of this subsection (l)(23) shall not apply to any such property that the congress of the United States has expressly declared to be subject to state and local taxation; (24) watercraft exempted from property or ad valorem taxation by K.S.A. 79-5501, and amendments thereto; and (25) property exempted from property or ad valorem taxation by section 3, and amendments thereto.

(m) The provisions of this section shall apply to property exempt pursuant to the provisions of section 13 of article 11 of the constitution of the state of Kansas.

(n) The provisions of subsection (k) as amended by this act shall be applicable to all exemption applications filed in accordance with subsection (a) after December 31, 2001.

(o) No exemption authorized by K.S.A. 79-227, and amendments thereto, of property from the payment of ad valorem property taxes assessed shall be granted unless the requesting property owner files an initial request for exemption pursuant to this section within two years of the date in which construction of a new qualifying pipeline property began. The provisions of this subsection shall be applicable to all requests for exemptions filed in accordance with subsection (a) after June 30, 2017.

Sec. 5. K.S.A. 79-503a is hereby amended to read as follows: 79-503a. "Fair market value" means the amount in terms of money that a well informed buyer is justified in paying and a well informed seller is justified in accepting for property in an open and competitive market, assuming that the parties are acting without undue compulsion. In the determination of fair market value of any real property which is subject to any special assessment, such value shall not be determined by adding the present value of the special assessment to the sales price. For the purposes of this definition it will be assumed that consummation of a sale occurs as of January 1.

Sales in and of themselves shall not be the sole criteria of fair market value but shall be used in connection with cost, income and other factors including but not by way of exclusion:

(a) The proper classification of lands and improvements;

- (b) the size thereof;
- (c) the effect of location on value;
- (d) depreciation, including physical deterioration or functional, economic or social obsolescence;
- (e) cost of reproduction of improvements;
- (f) productivity taking into account all restrictions imposed by the state or federal government and local governing bodies, including, but not limited to, restrictions on property rented or leased to low income individuals and families as authorized by section 42 of the federal internal revenue code of 1986, as amended;
- (g) earning capacity as indicated by lease price, by capitalization of net income or by absorption or sell-out period;
- (h) rental or reasonable rental values or rental values restricted by the state or federal government or local governing bodies, including, but not limited to, restrictions on property rented or leased to low income individuals and families, as authorized by section 42 of the federal internal revenue code of 1986, as amended;
- (i) sale value on open market with due allowance to abnormal inflationary factors influencing such values;
- (j) restrictions or requirements imposed upon the use of real estate by the state or federal government or local governing bodies, including zoning and planning boards or commissions, and including, but not limited to, restrictions or requirements imposed upon the use of real estate rented or leased to low income individuals and families, as authorized by section 42 of the federal internal revenue code of 1986, as amended; and
- (k) comparison with values of other property of known or recognized value. The assessment-sales ratio study shall not be used as an appraisal for appraisal purposes.

The appraisal process utilized in the valuation of all real and tangible personal property for ad valorem tax purposes shall conform to generally accepted appraisal procedures and standards which are consistent with the definition of fair market value unless otherwise specified by law.

The sale price or value at which a property sells or transfers ownership in a federal internal revenue code section 1031 exchange shall not be considered an indicator of fair market value nor as a factor in arriving at fair market value. Federal internal revenue code section 1031 exchange transactions shall not be used as comparable sales for valuation purposes nor as valid sales for purposes of sales ratio studies conducted pursuant to K.S.A. 79-1485 et seq., and amendments thereto.

Sec. 6. K.S.A. 2023 Supp. 79-1460 is hereby amended to read as follows: 79-1460.
 (a) The county appraiser shall notify each taxpayer in the county annually on or before March 1 for real property and May 1 for personal property, by mail directed to the taxpayer's last known address, of the classification and appraised valuation of the taxpayer's property, except that, the valuation for all real property shall not be increased unless the record of the latest physical inspection was reviewed by the county or district appraiser, and documentation exists to support such increase in valuation in compliance with the directives and specifications of the director of property valuation, and such record and documentation is available to the affected taxpayer. Alternatively, the county appraiser may transmit the classification and appraised valuation to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

(b) The valuation for all real property also shall not be increased solely as the result of normal repair, replacement or maintenance of existing structures, equipment or

improvements on the property. For the next two taxable years following the taxable year that the valuation for commercial real property has been reduced due to a final determination made pursuant to the valuation appeals process, the county appraiser shall review the computer-assisted mass-appraisal of the property and if, the valuation in either of those two years exceeds the value of the previous year by more than 5%, excluding new construction, change in use or change in classification, the county appraiser shall either:

(1) Adjust the valuation of the property based on the information provided in the previous appeal; or

(2) order an independent fee simple appraisal of the property to be performed by a Kansas certified real property appraiser.

(c) When the valuation for real property has been reduced due to a final determination made pursuant to the valuation appeals process for the prior year, and the county appraiser has already certified the appraisal rolls for the current year to the county clerk pursuant to K.S.A. 79-1466, and amendments thereto, the county appraiser may amend the appraisal rolls and certify the changes to the county clerk to implement the provisions of this subsection and reduce the valuation of the real property to the prior year's final determination, except that such changes shall not be made after October 31 of the current year.

(d) (1) The notice provided under subsection (a) shall specify:

(A) Separately for the previous tax year and the current tax year, the appraised and assessed values for each property class identified on the parcel;

(B) the uniform parcel identification number prescribed by the director of property valuation; ~~and~~

(C) a statement of the taxpayer's right to appeal, the procedure to be followed in making such appeal and the availability without charge of the guide devised pursuant to subsection (g); and

(D) a valuation history of the parcel that includes, at a minimum, a statement or display of the total appraised values of the parcel for the current tax year and the previous four tax years.

(2) Such notice may, and if the board of county commissioners so require, shall provide the parcel identification number, address and the sale date and amount of any or all sales utilized in the determination of appraised value of residential real property.

(e) In any year in which no change in appraised valuation of any real property from its appraised valuation in the next preceding year is determined, an alternative form of notification which has been approved by the director of property valuation may be utilized by a county.

(f) Failure to timely mail or receive such notice shall in no way invalidate the classification or appraised valuation as changed. The secretary of revenue shall adopt rules and regulations necessary to implement the provisions of this section.

(g) There shall be provided to each taxpayer, upon request, a guide to the property tax appeals process. The director of the division of property valuation shall devise and publish such guide and shall provide sufficient copies thereof to all county appraisers. Such guide shall include, but not be limited to:

(1) A restatement of the law which pertains to the process and practice of property appraisal methodology, including the contents of K.S.A. 79-503a and 79-1460, and amendments thereto;

(2) the procedures of the appeals process, including the order and burden of proof of each party and time frames required by law; and

(3) such other information deemed necessary to educate and enable a taxpayer to properly and competently pursue an appraisal appeal.

(h) As used in this section:

(1) "New construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.

(2) "Normal repair, replacement or maintenance" does not include new construction.

(3) "Taxpayer" means the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and includes the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds and the real property or improvement thereon is subject of a lease agreement.

Sec. 7. K.S.A. 2023 Supp. 79-2005 is hereby amended to read as follows: 79-2005. (a) Any taxpayer, before protesting the payment of such taxpayer's taxes, shall be required, either at the time of paying such taxes, or, if the whole or part of the taxes are paid prior to December 20, no later than December 20, or, with respect to taxes paid in whole or in part in an amount equal to at least $\frac{1}{2}$ of such taxes on or before December 20 by an escrow or tax service agent, no later than January 31 of the next year, to file a written statement with the county treasurer, on forms approved by the state board of tax appeals and provided by the county treasurer, clearly stating the grounds on which the whole or any part of such taxes are protested and citing any law, statute or facts on which such taxpayer relies in protesting the whole or any part of such taxes. When the grounds of such protest is an assessment of taxes made pursuant to K.S.A. 79-332a and 79-1427a, and amendments thereto, the county treasurer may not distribute the taxes paid under protest until such time as the appeal is final. When the grounds of such protest is that the valuation or assessment of the property upon which the taxes are levied is illegal or void, the county treasurer shall forward a copy of the written statement of protest to the county appraiser who shall within 15 days of the receipt thereof, schedule an informal meeting with the taxpayer or such taxpayer's agent or attorney with reference to the property in question. At the informal meeting, it shall be the duty of the county appraiser or the county appraiser's designee to initiate production of evidence to substantiate the valuation of such property, including a summary of the reasons that the valuation of the property has been increased over the preceding year, any assumptions used by the county appraiser to determine the value of the property and a description of the individual property characteristics, property specific valuation records and conclusions. The taxpayer shall be provided with the opportunity to review the data sheets applicable to the valuation approach utilized for the subject property. The county appraiser shall take into account any evidence provided by the taxpayer which relates to the amount of deferred maintenance and depreciation of the property. The county appraiser shall review the appraisal of the taxpayer's property with the taxpayer or such taxpayer's agent or attorney and may change the valuation of the taxpayer's property, if in the county appraiser's opinion a change in the valuation of the taxpayer's property is required to assure that the taxpayer's property is valued according to law, and shall, within 15 business days thereof, notify the taxpayer in the event the valuation of the taxpayer's property is changed, in writing of the results of the meeting.

The county appraiser shall not increase the appraised valuation of the property as a result of the informal meeting. In the event the valuation of the taxpayer's property is changed and such change requires a refund of taxes and interest thereon, the county treasurer shall process the refund in the manner provided by subsection (l).

(b) No protest appealing the valuation or assessment of property shall be filed pertaining to any year's valuation or assessment when an appeal of such valuation or assessment was commenced pursuant to K.S.A. 79-1448, and amendments thereto, nor shall the second half payment of taxes be protested when the first half payment of taxes has been protested. Notwithstanding the foregoing, this provision shall not prevent any subsequent owner from protesting taxes levied for the year in which such property was acquired, nor shall it prevent any taxpayer from protesting taxes when:

(1) The valuation or assessment of such taxpayer's property has been changed pursuant to an order of the director of property valuation;

(2) the taxpayer withdrew such taxpayer's appeal commenced pursuant to K.S.A. 79-1448, and amendments thereto; or

(3) the taxpayer wishes to present new evidence relating to the valuation or assessment of such property.

(c) A protest shall not be necessary to protect the right to a refund of taxes in the event a refund is required because the final resolution of an appeal commenced pursuant to K.S.A. 79-1448, and amendments thereto, occurs after the final date prescribed for the protest of taxes.

(d) If the grounds of such protest shall be that the valuation or assessment of the property upon which the taxes so protested are levied is illegal or void, such statement shall further state the exact amount of valuation or assessment which the taxpayer admits to be valid and the exact portion of such taxes which is being protested.

(e) If the grounds of such protest shall be that any tax levy, or any part thereof, is illegal, such statement shall further state the exact portion of such tax which is being protested.

(f) Upon the filing of a written statement of protest, the grounds of which shall be that any tax levied, or any part thereof, is illegal, the county treasurer shall mail a copy of such written statement of protest to the state board of tax appeals and the governing body of the taxing district making the levy being protested.

(g) Within 30 days after notification of the results of the informal meeting with the county appraiser pursuant to subsection (a), the protesting taxpayer may, if aggrieved by the results of the informal meeting with the county appraiser, appeal such results to the state board of tax appeals.

(h) After examination of the copy of the written statement of protest and a copy of the written notification of the results of the informal meeting with the county appraiser in cases where the grounds of such protest is that the valuation or assessment of the property upon which the taxes are levied is illegal or void, the board shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act, unless waived by the interested parties in writing. If the grounds of such protest is that the valuation or assessment of the property is illegal or void the board shall notify the county appraiser thereof.

(i) In the event of a hearing, the same shall be originally set not later than 90 days after the filing of the copy of the written statement of protest and a copy, when applicable, of the written notification of the results of the informal meeting with the

county appraiser with the board. With regard to any matter properly submitted to the board relating to the determination of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination except that no such duty shall accrue to the county or district appraiser with regard to leased commercial and industrial property unless the property owner has furnished to the county or district appraiser a complete income and expense statement for the property for the three years next preceding the year of appeal. No presumption shall exist in favor of the county appraiser with respect to the validity and correctness of such determination. In all instances where the board sets a request for hearing and requires the representation of the county by its attorney or counselor at such hearing, the county shall be represented by its county attorney or counselor. The board shall take into account any evidence provided by the taxpayer which relates to the amount of deferred maintenance and depreciation for the property. In any appeal from the reclassification of property that was classified as land devoted to agricultural use for the preceding year, the taxpayer's classification of the property as land devoted to agricultural use shall be presumed to be valid and correct if the taxpayer provides an executed lease agreement or other documentation demonstrating a commitment to use the property for agricultural use, if no other actual use is evident. With regard to any matter properly submitted to the board relating to the determination of valuation of property for taxation purposes, the board shall not increase the appraised valuation of the property to an amount greater than the appraised value reflected in the notification of the results of the informal meeting with the county appraiser from which the taxpayer appealed.

(j) When a determination is made as to the merits of the tax protest, the board shall render and serve its order thereon. The county treasurer shall notify all affected taxing districts of the amount by which tax revenues will be reduced as a result of a refund.

(k) If a protesting taxpayer fails to file a copy of the written statement of protest and a copy, when applicable, of the written notification of the results of the informal meeting with the county appraiser with the board within the time limit prescribed, such protest shall become null and void and of no effect whatsoever.

(l) (1) In the event the board orders that a refund be made pursuant to this section or the provisions of K.S.A. 79-1609, and amendments thereto, or a court of competent jurisdiction orders that a refund be made, and no appeal is taken from such order, or in the event a change in valuation which results in a refund pursuant to subsection (a), the county treasurer shall, as soon thereafter as reasonably practicable, refund to the taxpayer such protested taxes and, with respect to protests or appeals commenced after the effective date of this act, interest computed at the rate prescribed by K.S.A. 79-2968, and amendments thereto, minus two percentage points, per annum from the date of payment of such taxes from tax moneys collected but not distributed. Upon making such refund, the county treasurer shall charge the fund or funds having received such protested taxes, except that, with respect to that portion of any such refund attributable to interest the county treasurer shall charge the county general fund. In the event that the state board of tax appeals or a court of competent jurisdiction finds that any time delay in making its decision is unreasonable and is attributable to the taxpayer, it may order that no interest or only a portion thereof be added to such refund of taxes.

(2) No interest shall be allowed pursuant to paragraph (1) in any case where the tax

paid under protest was inclusive of delinquent taxes.

(m) Whenever, by reason of the refund of taxes previously received or the reduction of taxes levied but not received as a result of decreases in assessed valuation, it will be impossible to pay for imperative functions for the current budget year, the governing body of the taxing district affected may issue no-fund warrants in the amount necessary. Such warrants shall conform to the requirements prescribed by K.S.A. 79-2940, and amendments thereto, except they shall not bear the notation required by such section and may be issued without the approval of the state board of tax appeals. The governing body of such taxing district shall make a tax levy at the time fixed for the certification of tax levies to the county clerk next following the issuance of such warrants sufficient to pay such warrants and the interest thereon. All such tax levies shall be in addition to all other levies authorized by law.

(n) Whenever a taxpayer appeals to the board of tax appeals pursuant to the provisions of K.S.A. 79-1609, and amendments thereto, or pays taxes under protest related to one property whereby the assessed valuation of such property exceeds 5% of the total county assessed valuation of all property located within such county and the taxpayer receives a refund of such taxes paid under protest or a refund made pursuant to the provisions of K.S.A. 79-1609, and amendments thereto, the county treasurer or the governing body of any taxing subdivision within a county may request the pooled money investment board to make a loan to such county or taxing subdivision as provided in this section. The pooled money investment board is authorized and directed to loan to such county or taxing subdivision sufficient funds to enable the county or taxing subdivision to refund such taxes to the taxpayer. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for such loan. Each loan shall bear interest at a rate equal to the net earnings rate of the pooled money investment portfolio at the time of the making of such loan. The total aggregate amount of loans under this program shall not exceed \$50,000,000 of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the county treasurer or governing body of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the county treasurer or governing body from the state bank account or accounts prescribed in this subsection to the county treasurer who shall deposit such amount in the county treasury. Any such loan authorized pursuant to this subsection shall be repaid within four years. The county or taxing subdivision shall make not more than four equal annual tax levies at the time fixed for the certification of tax levies to the county clerk following the making of such loan sufficient to pay such loan within the time period required under such loan. All such tax levies shall be in addition to all other levies authorized by law.

(o) The county treasurer shall disburse to the proper funds all portions of taxes paid under protest and shall maintain a record of all portions of such taxes which are so protested and shall notify the governing body of the taxing district levying such taxes thereof and the director of accounts and reports if any tax protested was levied by the state.

(p) This statute shall not apply to the valuation and assessment of property assessed by the director of property valuation and it shall not be necessary for any owner of state assessed property, who has an appeal pending before the state board of tax appeals, to protest the payment of taxes under this statute solely for the purpose of protecting the right to a refund of taxes paid under protest should that owner be successful in that appeal.

Sec. 8. K.S.A. 79-32,111c is hereby amended to read as follows: 79-32,111c. (a) There shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to 12.5% for tax year 2018; an amount equal to 18.75% for tax year 2019; ~~and an amount equal to 25% for tax-year~~ years 2020 through 2023; and an amount equal to 100% for tax year 2024, and all tax years thereafter, of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to 26 U.S.C. § 21 for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law.

(c) No credit provided under this section shall be allowed to any individual who fails to provide a valid social security number issued by the social security administration, to such individual, the individual's spouse and every dependent of the individual.

Sec. 9. K.S.A. 2023 Supp. 79-4508a is hereby amended to read as follows: 79-4508a. (a) For tax year 2022, and all tax years thereafter, the amount of any claim pursuant to this section shall be computed by deducting the claimant's base year ad valorem tax amount for the homestead from the claimant's homestead ad valorem tax amount for the tax year for which the refund is sought. This section shall be known and may be cited as the homeowners' property tax freeze program.

(b) As used in this section:

(1) "Base year" means the year in which an individual becomes an eligible claimant and who is also eligible for a claim for refund pursuant to this section. For any individual who would otherwise be an eligible claimant prior to 2021, such base year shall be deemed to be 2021 for the purposes of this act.

(2) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a person 65 years of age or older or a disabled veteran who was receiving benefits pursuant to this section at the time of the claimant's death shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

(3) "Household income" means the total Kansas adjusted gross income of all persons of a household in a calendar year while members of such household excluding any amounts received as benefits under the federal social security act that are included in Kansas adjusted gross income of such persons.

(c) A claimant shall only be eligible for a claim for refund under this section if:

(1) The claimant's household income for the year in which the claim is filed is ~~\$50,000~~ \$80,000 or less; and

(2) the appraised value of the claimant's homestead for the base year is ~~-\$350,000~~ \$500,000 or less.

The provisions of K.S.A. 79-4522, and amendments thereto, shall not apply to a claim pursuant to this section. In the case of all tax years commencing after December 31, 2022, the upper limit household income threshold amount prescribed in this subsection shall be increased by an amount equal to such threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

(d) A taxpayer shall not be eligible for a homestead property tax refund claim pursuant to this section if such taxpayer has received for such property for such tax year either: (1) A homestead property tax refund pursuant to K.S.A. 79-4508, and amendments thereto; or (2) the selective assistance for effective senior relief (SAFESR) credit pursuant to K.S.A. 79-32,263, and amendments thereto.

(e) The amount of any claim shall be computed to the nearest \$1.

(f) The household income and appraised value amendments made to this section by this act shall apply retroactively, and the deadline to file claims for tax years 2022 and 2023 shall be extended to on or before April 15, 2025.

(g) The provisions of this section shall be a part of and supplemental to the homestead property tax refund act.

Sec. 10. K.S.A. 79-5501 is hereby amended to read as follows: 79-5501. (a) ~~On and after Commencing July 1, 2013, and through December 31, 2024,~~ watercraft shall be appraised at fair market value determined therefor pursuant to K.S.A. 79-503a, and amendments thereto, and assessed at the percentage of value as follows: (1) 11.5% in tax year 2014; and (2) 5% in tax ~~year years~~ years 2015 and all tax years thereafter through 2024. On and after January 1, 2014, the levy used to calculate the tax on watercraft shall be the county average tax rate. In no case shall the assessed value of any watercraft, as determined under the provisions of this section, cause the tax upon such watercraft to be less than \$12.

(b) As used in this section, the term "watercraft" means any watercraft designed to be propelled by machinery, oars, paddles or wind action upon a sail for navigation on the water which, if not for the provisions of this section, would be properly classified under subclass 5 or 6 of class 2 of section 1 of article 11 of the Kansas constitution. This section shall not be construed as taxing any watercraft which otherwise would be exempt from property taxation under the laws of the state of Kansas. Each watercraft may include one trailer which is designed to launch, retrieve, transport and store such watercraft and any nonelectric motor or motors which are necessary to operate such watercraft on the water.

(c) Any watercraft which is designed to be propelled through the water through human power alone shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas.

(d) The "county average tax rate" means the total amount of general property taxes levied within the county by the state, county and all other taxing subdivisions divided by the total assessed valuation of all taxable property within the county as of November 1 of the year prior to the year of valuation as certified by the secretary of revenue.

(e) On and after January 1, 2025, all watercraft shall be exempt from all property or ad valorem taxes levied under the laws of the state of Kansas.;

On page 2, in line 1, by striking "12-2624 and 44-588" and inserting "79-213, 79-

503a, 79-32,111c and 79-5501 and K.S.A. 2023 Supp. 79-1460, 79-2005 and 79-4508a"; in line 3, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 4; in line 5, by striking all before the semicolon and inserting "taxation; relating to income tax; establishing the veterans' valor property tax relief act and providing for an income tax credit or refund for eligible individuals; increasing the tax credit amount for household and dependent care expenses; modifying the definition of household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased property tax claims and citing the section as the homeowners' property tax freeze program; relating to property tax; providing a rebate for certain business property operated in competition with property owned or operated by a governmental entity; providing exemptions for certain personal property including watercraft, marine equipment, off-road vehicles, motorized bicycles and certain trailers; excluding internal revenue code section 1031 exchange transactions as indicators of fair market value; providing for certain exclusions from the prohibition of paying taxes under protest after a valuation notice appeal; providing four prior years' values on the annual valuation notice"; in line 5, by striking "12-2624 and 44-588" and inserting "79-213, 79-503a, 79-32,111c and 79-5501 and K.S.A. 2023 Supp. 79-1460, 79-2005 and 79-4508a";

And your committee on conference recommends the adoption of this report.

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

ADAM SMITH

BRIAN BERGKAMP

TOM SAWYER

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2096**.

On roll call, the vote was: Yeas 23; Nays 11; Present and Passing 1; Absent or Not Voting 5.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Holland, Pettey, Reddi, Steffen, Sykes, Ware.

Present and Passing: Pittman.

Absent or Not Voting: Doll, Holscher, Longbine, McGinn, O'Shea.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2176** submits the following report:

The Senate recesses from all of its Committee of the Whole amendments to the bill, and your committee on conference further agrees to amend the bill as printed with

Senate Committee amendments, as follows:

On page 2, in line 6, after the period by inserting "Each member shall be a resident of the library district.";

On page 6, in line 15, after the period by inserting "Each member shall be a resident of the library district.";

And your committee on conference recommends the adoption of this report.

CAROLYN MCGINN

ELAINE BOWERS

MARCI FRANCISCO

Conferees on part of Senate

ADAM SMITH

BRIAN BERGKAMP

TOM SAWYER

Conferees on part of House

Senator McGinn moved the Senate adopt the Conference Committee Report on **HB 2176**.

On roll call, the vote was: Yeas 32; Nays 3; Present and Passing 1; Absent or Not Voting 4.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Steffen, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Baumgardner, Blasi, Shallenburger.

Present and Passing: Straub.

Absent or Not Voting: Holscher, Longbine, Olson, Pyle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2392** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 26 through 34;

By striking all on pages 2 through 40;

On page 41, by striking all in lines 1 through 24; following line 24, by inserting:

"New Section 1. (a) On and after January 1, 2025, any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less or motorcycles, who is a resident of Kansas, and who submits satisfactory proof to the director of vehicles that such person is currently serving in any unit of the 1st infantry division, the Fort Riley garrison or a unit assigned to the Fort Riley garrison or has separated from the United States military, was honorably discharged and served an assignment of at least nine months in any unit of the 1st infantry division, the Fort Riley garrison or any unit assigned to the Fort Riley garrison may be issued one 1st infantry

division license plate for each such passenger vehicle, truck or motorcycle. Such license plate shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

(b) Any person who meets the criteria in subsection (a) may make application for such distinctive license plate, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles. Any applicant for the distinctive license plate shall furnish the director with proof as the director shall require that the applicant is currently serving in the 1st infantry division or is a retired member or veteran that was assigned to the 1st infantry division or Fort Riley garrison. Application for the registration of a passenger vehicle, truck or motorcycle and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(c) No registration or distinctive license plate issued under the authority of this section shall be transferable to any other person.

(d) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plate to the county treasurer of such person's residence.

(e) Upon satisfactory proof submitted to the director of vehicles, any person issued a license plate under this section may request that the license plate be printed to indicate that such person is a veteran or retired member of the 1st infantry division or Fort Riley garrison.

New Sec. 2. (a) On and after January 1, 2025, any owner or lessee of one or more passenger vehicles, trucks registered for a gross weight of 20,000 pounds or less or motorcycles, who is a resident of the state of Kansas, and who submits satisfactory proof to the director of vehicles that such person is a recipient of the Army of occupation medal or the Navy occupation service medal, upon compliance with the provisions of this section, may be issued one armed services occupation medal license plate for each such passenger vehicle, truck or motorcycle. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

(b) Any person who is a recipient of the Army of occupation medal or the Navy occupation service medal may make application for such distinctive license plates, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the distinctive plates shall furnish the director with proof as the director shall require that the applicant is a recipient of the Army of occupation medal or the Navy occupation service medal. Application for the registration of a passenger vehicle, truck or motorcycle and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(c) No registration or distinctive license plates issued under the authority of this

section shall be transferable to any other person.

(d) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plates to the county treasurer of such person's residence.

Sec. 3. K.S.A. 2023 Supp. 8-1,141 is hereby amended to read as follows: 8-1,141.

(a) (1) Except as provided in paragraph (2), any new distinctive license plate authorized for issuance on and after July 1, 1994, shall be subject to the personalized license plate fee prescribed by K.S.A. 8-132(d), and amendments thereto. This section shall not apply to any distinctive license plate authorized prior to July 1, 1994.

(2) On and after January 1, 2025, any distinctive license plate may be a personalized license plate subject to the provisions of K.S.A. 8-132, and amendments thereto. Any personalized distinctive license plate shall be subject to a fee that is double the amount prescribed by K.S.A. 8-132(d), and amendments thereto.

(b) The director of vehicles shall not issue any new distinctive license plate unless there is a guarantee of an initial issuance of at least 250 license plates.

(c) The provisions of this section shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-177d, 8-1,145, 8-1,163, 8-1,166, 8-1,185, 8-1,186, 8-1,187, 8-1,188, 8-1,194, 8-1,195, 8-1,196, 8-1,197, 8-1,198, 8-1,199, 8-1,204 or 8-1,205, and amendments thereto, or section 1 or 2, and amendments thereto, except that such distinctive license plates may be personalized license plates pursuant to subsection (a)(2) if an applicant pays the personalized license plate fee prescribed by K.S.A. 8-132(d), and amendments thereto.

(d) The provisions of subsection (a) shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,146, 8-1,148, 8-1,153, 8-1,158 or 8-1,161, and amendments thereto, except that such distinctive license plates may be personalized license plates pursuant to subsection (a)(2) if an applicant pays the personalized license plate fee prescribed by K.S.A. 8-132(d), and amendments thereto.

(e) The provisions of subsection (f) shall not apply to distinctive license plates issued under the provisions of K.S.A. 8-1,160; and 8-1,183, and amendments thereto, and K.S.A. 2023 Supp. 8-1,211, and amendments thereto, except that the division shall delay the manufacturing and issuance of such distinctive license plate until the division has received not fewer than 100 orders for such plate, including payment of the personalized license plate fee required under subsection (a). Upon certification by the director of vehicles to the director of accounts and reports that not less than 100 paid orders for such plate have been received, the director of accounts and reports shall transfer \$4,000 from the state highway fund to the distinctive license plate fund.

(f) (1) Any person or organization sponsoring any distinctive license plate authorized by the legislature shall submit to the division of vehicles a nonrefundable amount not to exceed \$5,000, to defray the division's cost for developing such distinctive license plate.

(2) All moneys received under this subsection shall be remitted by the secretary of revenue to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall

deposit the entire amount in the state treasury to the credit of the distinctive license plate fund which is hereby created in the state treasury. All moneys credited to the distinctive license plate fund shall be used by the department of revenue only for the purpose associated with the development of distinctive license plates. All expenditures from the distinctive license plate application fee fund shall be made in accordance with appropriation acts, upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of the department of revenue.

(g) The director of vehicles shall discontinue the issuance of any distinctive license plate if:

(1) Fewer than 250 plates, including annual renewals, are issued for that distinctive license plate by the end of the second year of sales; and

(2) fewer than 125 license plates, including annual renewals, are issued for that distinctive license plate during any subsequent two-year period.

(h) An application for any distinctive license plate issued and the corresponding royalty fee may be collected either by the county treasurer or the entity benefiting from the issuance of the distinctive license plate. Annual royalty payments collected by the county treasurers shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of a segregated royalty fund which shall be administered by the state treasurer. All expenditures from the royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the royalty fund shall be made to the entity benefiting from the issuance of the distinctive license plate on a monthly basis.

(i) Notwithstanding any other provision of law, for any distinctive license plate, the division shall produce such distinctive license plate for a motorcycle upon request to the division by the organization sponsoring the distinctive license plate.

(j) In addition to any residency requirements for all distinctive license plates, any person not a resident of Kansas, serving as a member of the armed forces stationed in this state shall be eligible to apply for any distinctive license plate as if the individual was a resident of this state. Such person shall be eligible to renew the distinctive license plate registration as long as the person is still stationed in this state at the time the registration is renewed.

Sec. 4. K.S.A. 8-1,147 is hereby amended to read as follows: 8-1,147. In the event of the death of any person issued distinctive license plates under the provisions of K.S.A. 8-161, 8-177a, 8-177c, 8-1,139, 8-1,140, 8-1,145 or 8-1,146 or 8-177d, 8-1,163, 8-1,166, 8-1,185, 8-1,186, 8-1,187, 8-1,188, 8-1,194, 8-1,195, 8-1,196, 8-1,197, 8-1,198, 8-1,199, 8-1,204 or 8-1,205, and amendments thereto, or section 1 or 2, and amendments thereto, the surviving spouse or other family member, if there is no surviving spouse, shall be entitled to possession of any such distinctive license plates. Such license plates shall not be displayed on any vehicle unless otherwise authorized by statute.

Sec. 5. K.S.A. 2023 Supp. 32-934, as amended by section 10 of 2024 House Bill No. 2760, is hereby amended to read as follows: 32-934. (a) Subject to the provisions of K.S.A. 32-920, and amendments thereto, the secretary of wildlife and parks or the secretary's designee shall issue, free of charge, a permanent license to hunt and fish to

any person residing in the state who submits to the secretary satisfactory proof that the person is a disabled veteran. Any such person hunting or fishing in this state shall be subject to the provisions of all rules and regulations relating to hunting or fishing.

(b) As used in this section, "disabled veteran" means a person who:

(1) Served in the active military, naval, air or space service and who was discharged or released therefrom under ~~conditions other than dishonorable~~ an honorable discharge or a general discharge under honorable conditions;

(2) received a disability that was incurred or aggravated in the line of duty in the active military, naval, air or space service; and

(3) has a service-connected evaluation percentage equal to or greater than 30% pursuant to 38 U.S.C. § 1101 et seq. or 10 U.S.C. § 1201 et seq.

Sec. 6. K.S.A. 73-230, as amended by section 25 of 2024 House Bill No. 2760, is hereby amended to read as follows: 73-230. (a) In awarding any contract for the performance of any job or service for which moneys appropriated are to be expended, the secretary of administration, or the secretary's designee, shall give a preference to disabled veteran businesses doing business as Kansas firms, corporations or individuals, or that maintain Kansas offices or places of business and shall have the goal of awarding at least 3% of all such contracts to disabled veteran businesses.

(b) As used in this section:

(1) "Disabled veteran" means a person who:

(A) Served in the active military, naval, air or space service and who was discharged or released therefrom under ~~conditions other than dishonorable~~ an honorable discharge or a general discharge under honorable conditions;

(B) received a disability that was incurred or aggravated in the line of duty in the active military, naval, air or space service;

(C) has a service-connected evaluation percentage equal to or greater than 30% pursuant to 38 U.S.C. § 1101 et seq. or 10 U.S.C. § 1201 et seq.

(2) "Disabled veteran business" means a business: (A) Not less than 51% of which is owned by one or more disabled veterans or, in the case of a publicly owned business, not less than 51% of the stock of which is owned by one or more disabled veterans; and (B) the management and daily business operations of which are controlled by one or more disabled veterans.

Sec. 7. K.S.A. 73-1239, as amended by section 41 of 2024 House Bill No. 2760, is hereby amended to read as follows: 73-1239. The Vietnam war era medallion, medal and a certificate shall be awarded regardless of whether or not such veteran served within the United States or in a foreign country. The medallion, medal and the certificate shall be awarded regardless of whether or not such veteran was under 18 years of age at the time of entry into active service. For purposes of this section, "veteran" means a person who served in the active military, naval, air or space service and who was discharged under ~~conditions other than dishonorable~~ an honorable discharge or a general discharge under honorable conditions. The director of the Kansas office of veterans services shall administer the program and adopt all rules and regulations necessary to administer the program. The agency shall determine as expeditiously as possible the persons who are entitled to a Vietnam war era medallion, medal and a certificate and distribute the medallions, medals and the certificates. Applications for the Vietnam war era medallion, medal and the certificate shall be filed with the director of the Kansas office of veterans services on forms prescribed and

furnished by the director of the Kansas office of veterans services. The deputy director of veteran services shall approve all applications that are in order, and shall cause a Vietnam war era medallion, medal and a certificate to be prepared for each approved veteran in the form approved by the director of the Kansas office of veterans services. The deputy director of veteran services shall review applications for the Vietnam war era medallion, medal and a certificate to ensure recipients are enrolled for eligible federal benefits.

Sec. 8. K.S.A. 2023 Supp. 75-3740, as amended by section 47 of 2024 House Bill No. 2760, is hereby amended to read as follows: 75-3740. (a) Except as provided by K.S.A. 75-3740b, and amendments thereto, and subsections (b) and (k), all contracts and purchases made by or under the supervision of the director of purchases or any state agency for which competitive bids are required shall be awarded to the lowest responsible bidder, taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids.

(b) A contract shall be awarded to a certified business or disabled veteran business which is also a responsible bidder, whose total bid cost is not more than 10% higher than the lowest competitive bid. Such contract shall contain a promise by the certified business that the percentage of employees that are individuals with disabilities will be maintained throughout the contract term and a condition that the certified business shall not subcontract for goods or services in an aggregate amount of more than 25% of the total bid cost.

(c) The director of purchases shall have power to decide as to the lowest responsible bidder for all purchases, but if:

(1) (A) A responsible bidder purchases from a qualified vendor goods or services on the list certified by the director of purchases pursuant to K.S.A. 75-3317 et seq., and amendments thereto, the dollar amount of such purchases made during the previous fiscal year shall be deducted from the original bid received from such bidder for the purpose of determining the lowest responsible bid, except that such deduction shall not exceed 10% of the original bid received from such bidder; or

(B) a responsible bidder purchases from a certified business the dollar amount of such purchases made during the previous fiscal year shall be deducted from the original bid received from such bidder for the purpose of determining the lowest responsible bid, except that such deduction shall not exceed 10% of the original bid received from such bidder;

(2) the dollar amount of the bid received from the lowest responsible bidder from within the state is identical to the dollar amount of the bid received from the lowest responsible bidder from without the state, the contract shall be awarded to the bidder from within the state; and

(3) in the case of bids for paper products specified in K.S.A. 75-3740b, and amendments thereto, the dollar amounts of the bids received from two or more lowest responsible bidders are identical, the contract shall be awarded to the bidder whose bid is for those paper products containing the highest percentage of recycled materials.

(d) (1) Any or all bids may be rejected, and a bid shall be rejected if it contains any material alteration or erasure made after the bid is opened. The director of purchases may reject the bid of any bidder who is in arrears on taxes due the state, who is not properly registered to collect and remit taxes due the state or who has failed to perform satisfactorily on a previous contract with the state. The secretary of revenue is hereby

authorized to exchange such information with the director of purchases as is necessary to effectuate the preceding sentence notwithstanding any other provision of law prohibiting disclosure of the contents of taxpayer records or information. Prior to determining the lowest responsible bidder on contracts for construction of buildings or for major repairs or improvements to buildings for state agencies, the director of purchases shall consider the:

(A) Criteria and information developed by the secretary of administration, with the advice of the state building advisory commission to rate contractors on the basis of their performance under similar contracts with the state, local governmental entities and private entities, in addition to other criteria and information available; and

(B) recommendations of the project architect, or, if there is no project architect, the recommendations of the secretary of administration or the agency architect for the project as provided in K.S.A. 75-1254, and amendments thereto.

(2) In any case where competitive bids are required and where all bids are rejected, new bids shall be called for as in the first instance, unless otherwise expressly provided by law or the state agency elects not to proceed with the procurement.

(e) Before the awarding of any contract for construction of a building or the making of repairs or improvements upon any building for a state agency, the director of purchases shall receive written approval from the state agency for which the building construction project has been approved, that the bids generally conform with the plans and specifications prepared by the project architect, by the secretary of administration or by the agency architect for the project, as the case may be, so as to avoid error and mistake on the part of the contractors. In all cases where material described in a contract can be obtained from any state institution, the director of purchases shall exclude the same from the contract.

(f) All bids with the names of the bidders and the amounts thereof, together with all documents pertaining to the award of a contract, shall be made a part of a file or record and retained by the director of purchases for five years, unless reproduced as provided in K.S.A. 75-3737, and amendments thereto, and shall be open to public inspection at all reasonable times.

(g) As used in this section:

(1) "Certified business" means any business certified as provided by subsection (1) by the department of administration that is a sole proprietorship, partnership, association or corporation domiciled in Kansas, or any corporation, even if a wholly owned subsidiary of a foreign corporation, that:

(A) Does business primarily in Kansas or substantially all of its production in Kansas;

(B) employs at least 10% of its employees who are individuals with disabilities and reside in Kansas;

(C) offers to contribute at least 75% of the premium cost for individual health insurance coverage for each employee. The department of administration shall require a certification of these facts as a condition to the certified business being awarded a contract pursuant to subsection (b); and

(D) does not employ individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c);

(2) "individuals with disabilities" or "individual with a disability" means any individual who:

(A) Is certified by the Kansas department for aging and disability services or by the Kansas department for children and families which administers the rehabilitation services program as having a physical or mental impairment that constitutes a substantial barrier to employment;

(B) works a minimum number of hours per week for a certified business necessary to qualify for health insurance coverage offered pursuant to subsection (g)(1); and

(C) (i) is receiving services, has received services or is eligible to receive services under a home and community based services program, as defined by K.S.A. 39-7,100, and amendments thereto;

(ii) is employed by a charitable organization domiciled in the state of Kansas and exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended; or

(iii) is an individual with a disability pursuant to the disability standards established by the social security administration as determined by the Kansas disability determination services under the Kansas department for children and families;

(3) "physical or mental impairment" means:

(A) Any physiological disorder or condition, cosmetic disfigurement or anatomical loss substantially affecting one or more of the following body systems:

(i) Neurological;

(ii) musculoskeletal;

(iii) special sense organs;

(iv) respiratory, including speech organs;

(v) cardiovascular;

(vi) reproductive;

(vii) digestive;

(viii) genitourinary;

(ix) hemic and lymphatic;

(x) skin; or

(xi) endocrine; or

(B) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, mental illness and specific learning disabilities. "Physical or mental impairment" includes, but is not limited to, orthopedic, visual, language and hearing disorders, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis and intellectual disability;

(4) "project architect" means the same as defined in K.S.A. 75-1251, and amendments thereto;

(5) "disabled veteran" means a person who:

(A) Served in the active military, naval, air or space service and who was discharged or released therefrom under ~~conditions other than dishonorable~~ an honorable discharge or a general discharge under honorable conditions;

(B) received a disability that was incurred or aggravated in the line of duty in the active military, naval, air or space service; and

(C) has a service-connected evaluation percentage equal to or greater than 10% pursuant to 38 U.S.C. § 1101 et seq. or 10 U.S.C. § 1201 et seq.; and

(6) "disabled veteran business" means a business certified annually by the department of administration that is a sole proprietorship, partnership, association or corporation domiciled in Kansas, or any corporation, even if a wholly owned subsidiary

of a foreign corporation, and is verified by the Kansas office of veterans services that:

(A) Not less than 51% of such business is owned by one or more disabled veterans or, in the case of a publicly owned business, not less than 51% of the stock is owned by one or more disabled veterans;

(B) the management and daily business operations of such business are controlled by one or more disabled veterans; and

(C) such business maintains the requirements of subparagraphs (A) and (B) during the entire contract term.

(h) Any state agency authorized by the director of purchases to make purchases pursuant to K.S.A. 75-3739(e), and amendments thereto, shall consider any unsolicited proposal for goods or services under this section.

(i) The secretary of administration and the secretary for aging and disability services, jointly, shall adopt rules and regulations as necessary to effectuate the purpose of this section.

(j) At the beginning of each regular session of the legislature, the secretary of administration and the secretary for aging and disability services shall submit to the social services budget committee of the house of representatives and the appropriate subcommittee of the committee on ways and means of the senate, a written report on the number of:

(1) Certified businesses certified by the department of administration during the previous fiscal year;

(2) certified businesses awarded contracts pursuant to subsection (b) during the previous fiscal year;

(3) contracts awarded pursuant to subsection (b) to each certified business during the previous fiscal year;

(4) individuals with disabilities removed from, reinstated to or not reinstated to home and community based services or other medicaid program services during the previous fiscal year as a result of employment with a certified business;

(5) individuals employed by each certified business during the previous fiscal year; and

(6) individuals with disabilities employed by each certified business during the previous fiscal year.

(k) When a state agency is receiving bids to purchase passenger motor vehicles, such agency shall follow the procedures prescribed in subsection (c)(2), except in the case where one of the responsible bidders offers motor vehicles that are assembled in Kansas. In such a case, 3% of the bid of the responsible bidder that offers motor vehicles assembled in Kansas shall be subtracted from the bid amount, and that amount shall be used to determine the lowest bid pursuant to subsection (c)(2). This subsection shall only apply to bids that match the exact motor vehicle specifications of the agency purchasing passenger motor vehicles.

(l) The secretary of administration shall certify that a business meets the requirements for a certified business as defined in subsection (g), and shall recertify such business as having met such requirements every three years thereafter.";

Also on page 41, in line 25, by striking all after "K.S.A."; by striking all in lines 26 through 42 and inserting "8-1,147, 73-230, as amended by section 25 of 2024 House Bill No. 2760, and 73-1239, as amended by section 41 of 2024 House Bill No. 2760,"; in line 43, by striking "48-2301" and inserting "8-1,141, 32-934, as amended by section

10 of 2024 House Bill No. 2760, and 75-3740, as amended by section 47 of 2024 House Bill No. 2760,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the semicolon; by striking all in line 2; in line 3, by striking all before the semicolon and inserting "relating to license plates; providing for the 1st infantry division and the armed services occupation medal distinctive license plates; relating to the definition of veteran and disabled veteran in certain statutes"; also in line 3, by striking all after "K.S.A."; by striking all in lines 4 through 12; in line 13, by striking "3112" and inserting "8-1,147, 73-230, as amended by section 25 of 2024 House Bill No. 2760, and 73-1239, as amended by section 41 of 2024 House Bill No. 2760,"; also in line 13, by striking "48-2301" and inserting "8-1,141, 32-934, as amended by section 10 of 2024 House Bill No. 2760, and 75-3740, as amended by section 47 of 2024 House Bill No. 2760,"; in line 14, by striking all after "sections"; by striking all in lines 15 through 22; in line 23, by striking all before the period;

And your committee on conference recommends the adoption of this report.

RICK BILLINGER

JR CLAEYS

PAT PETTEY

Conferees on part of Senate

RONALD ELLIS

MICHAEL DODSON

VIRGIL WEIGEL

Conferees on part of House

Senator Billinger moved the Senate adopt the Conference Committee Report on **HB 2392**.

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holscher, Longbine, Olson, Pyle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2530** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 7 through 33;

On page 2, by striking all in lines 1 through 33; following line 33, by inserting:

"Section 1. K.S.A. 2023 Supp. 32-805 is hereby amended to read as follows: 32-805. (a) (1) There is hereby created within and as a part of the department the Kansas

wildlife and parks commission, and such commission shall be composed of seven members who are residents of the state of Kansas. ~~The governor shall appoint residents of this state to be members of the commission. One member of the commission shall be chosen from each fish and wildlife administration region as established by the department. In the appointment of members of the commission, the governor~~

(2) Such members shall be appointed as follows:

(A) One at-large member appointed by the governor;

(B) one member appointed by the governor who represents fish and wildlife administration region one;

(C) one member appointed by the governor who represents fish and wildlife administration region two;

(D) one member appointed by the governor who represents fish and wildlife administration region five;

(E) one member appointed by the speaker of the house of representatives who represents fish and wildlife administration region four;

(F) one member appointed by the president of the senate who represents fish and wildlife administration region three; and

(G) one at-large member appointed by the attorney general.

(3) The members appointed by the speaker of the house of representatives, the president of the senate and the attorney general shall serve an initial term of two years and, thereafter, shall be appointed to a term of four years.

(4) The appointing authorities for the members of the commission shall give consideration to the appointment of licensed hunters, fishermen and furharvesters, park users and to nonconsumptive users of wildlife and park resources. ~~No~~ In no case shall any respective appointing authority appoint a controlled shooting area licensee or any employee of such licensee or any person who provides hunting outfitting services or hunting guide services. Not more than a majority of the members shall be of the same political party. Except as otherwise provided, each member of the commission shall hold office for a term of four years and until a successor is appointed and qualified. ~~The governor~~ Each respective appointing authority shall fill any vacancy on the commission prior to the expiration of a term by appointment for the unexpired term. On July 1, 2024, each appointing authority may appoint a new member to replace the current incumbent holding such incumbent's seat. Otherwise, such incumbent may serve for the remainder of such incumbent's term.

(b) Each member of the commission shall take and subscribe an oath or affirmation as required by law before taking office.

(c) ~~The governor~~Each respective appointing authority may remove a commissioner after opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act. If the commissioner is removed, ~~the governor~~ respective appointing authority shall file in the office of the secretary of state a complete statement of all charges made against such commissioner and ~~the governor's~~ respective appointing authority's findings thereon, together with a complete record of the proceedings.

(d) The commission shall have such powers, duties and functions as prescribed by law and shall preserve the rights guaranteed by section 21 of the bill of rights of the constitution of the state of Kansas. Other than rules and regulations pertaining to personnel matters of the department, the secretary shall submit to the commission all proposed rules and regulations. The commission shall either approve, modify and

approve, or reject such proposed rules and regulations. The secretary shall adopt such rules and regulations so approved or so modified and approved. Fees established for licenses, permits, stamps and other issues of the department shall be subject to the approval of the commission. It also shall be the duty of the commission to serve in an advisory capacity to the governor and the secretary in the formulation of policies and plans relating to the department.

(e) The governor members of the commission shall designate elect one commission member to serve as chairperson of the commission for a term not to exceed two years and until a successor has been elected. In the event of a vacancy in the position of chairperson, the members shall elect a successor for the remainder of the chairperson's term. Upon the expiration of the chairperson's two-year term, during the commission's first meeting of the calendar year, the members shall elect a new chairperson. Members of the commission attending meetings of the commission, or attending a subcommittee meeting thereof authorized by the commission, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. A majority of the members of the commission shall constitute a quorum for the transaction of business. Meetings may be called by the chairperson and shall be called on the request of a majority of the members of the commission.";

Also on page 2, in line 34, by striking "40-2,125" and inserting "32-805";

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking "person" and inserting "wildlife and parks; relating to the wildlife and parks commission; granting appointing authority to multiple state officers; providing for the election of the chairperson thereof"; also in line 3, by striking "40-2,125" and inserting "32-805";

And your committee on conference recommends the adoption of this report.

VIRGIL PECK
MICHAEL FAGG
MARY WARE

Conferees on part of Senate

WILL CARPENTER
TOM KESSLER
JOELLA HOYE

Conferees on part of House

Senator Peck moved the Senate adopt the Conference Committee Report on **HB 2530**.

A motion to not adopt the Conference Committee Report and appoint a new conference failed.

On roll call, the vote was: Yeas 21; Nays 18; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Claeys, Erickson, Fagg, Gossage, Kloos, Masterson, Peck, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Blasi, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, McGinn, O'Shea, Olson, Petersen, Pettey, Reddi, Ware.

Absent or Not Voting: Longbine.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

I vote "NO" on **HB 2530** because my constituents have great concern with the actions of the Kansas Wildlife and Parks Commission. When **SB 347** left the Senate it had strong checks and balance on the Commission. It has now come back from conference committee watered down and removes the check on the Executive branch. This bill does not solve the problem, it only further allows it to continue.—CHASE BLASI

Senator Petersen requests the record to show he concurs with the "Explanation of Vote" offered by Senator Blasi on **HB 2530**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2531** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 6 through 35;

On page 2, by striking all in lines 1 through 30; following line 30 by inserting:

"Section 1. (a) There is hereby established the Kansas purple alert plan to provide public notice of a missing individual with intellectual or developmental disabilities. The Kansas purple alert plan shall be established and implemented by the office of the attorney general, in collaboration with the Kansas bureau of investigation, Kansas highway patrol, local law enforcement agencies and other public and private agencies and organizations.

(b) Under the Kansas purple alert plan, public notice of a missing individual may promptly be broadcast and a search may be timely undertaken with the cooperation of local law enforcement, news media and the general public in order to locate such individual in time to avoid serious harm or death if such individual:

- (1) Is 18 years of age or older;
- (2) has been diagnosed with an intellectual disability;
- (3) whose whereabouts are unknown;
- (4) is believed to be in imminent danger of serious bodily injury or death because of such disability; and
- (5) is believed to be unable to return to safety without assistance.";

Also on page 2, in line 32, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in line 2; in line 3, by striking all before the period and inserting "establishing the Kansas purple alert plan; relating to public notice of missing persons 18 years of age or older who have been diagnosed with an intellectual disability and are in certain dangerous circumstances";

BEVERLY GOSSAGE
RENEE ERICKSON
PAT PETTEY

Conferees on part of Senate

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2531**.

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Holscher, Longbine, Olson, Pyle.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2551** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, in line 7, by striking all after "Section 1."; by striking all in lines 8 and 9; in line 10, by striking all before the period and inserting "(a) For the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall be known and may be cited as the omnibus appropriation act of 2024 and shall constitute the omnibus reconciliation spending limit bill for the 2024 regular session of the legislature for purposes of K.S.A. 75-6702(a), and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto";

On page 3, in line 21, by striking "this act" and inserting "sections 2 through 5, and amendments thereto"; in line 23, by striking "this act" and inserting "sections 2 through 5, and amendments thereto"; in line 30, by striking "this act" and inserting "sections 2 through 5, and amendments thereto"; following line 33, by inserting:

"Sec. 7.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 23(a) of chapter 82 and section 65 of chapter 97 of the 2023 Session Laws of Kansas and section 14(a) of 2024 Senate Bill

No. 28 on the board of nursing fee fund (482-00-2716-0200) of the board of nursing is hereby increased from \$3,722,944 to \$3,752,944.

Sec. 8.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Legislative coordinating council operations (422-00-1000-0100).....\$250,000

Provided, That in addition to the other purposes for which expenditures may be made from such account for fiscal year 2024 as authorized by section 33(a) of chapter 82 of the 2023 Session Laws of Kansas, section 23(a) of 2024 Senate Bill No. 28, this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made from such account by the above agency to issue a request for proposal by June 1, 2024, for a constituent relationship management software service to be used by all statewide elected officials to assist in decreasing response time for both staff and constituents, to encrypt data in transit to ensure constituent privacy, track casework through completion and include integrations with existing systems: *Provided further*; That such request for proposal shall be issued in conjunction with the request for proposal authorized by section 25(a) of 2024 Senate Bill No. 28: *And provided further*; That such request for proposal and subsequent contract shall be issued by and managed by the legislative coordinating council: *And provided further*; That the legislative coordinating council shall ensure that all statewide elected officials shall have use of such constituent relationship management software service: *Provided, however*; That the total expenditure for such service shall not exceed \$1,000,000.

Sec. 9.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Legislative coordinating council operations (422-00-1000-0100).....\$750,000

Provided, That in addition to the other purposes for which expenditures may be made from such account for fiscal year 2025 as authorized by section 24(a) of 2024 Senate Bill No. 28, this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made from such account for the legislative coordinating council, in consultation with all statewide elected officials, to review all proposals for a constituent relationship management software service submitted pursuant to the provisions of section 8: *Provided further*; That the request for proposal issued pursuant to the provisions of section 8 shall close on July 31, 2024: *And provided further*; That the legislative coordinating council shall approve or reject a contract for such services, on or before August 31, 2024, with the expectation that the service, if approved, shall be implemented on or before December 1, 2024, for use by statewide elected officials: *Provided, however*; That the total expenditure for such constituent relationship management software service shall not exceed \$1,000,000.

Sec. 10.

LEGISLATURE

(a) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025, as authorized by section 26 of Senate Bill No. 28, this or any other appropriation act of the

2024 regular session of the legislature, expenditures shall be made from such moneys to create an interim study committee to review a market rate study on employees of the state board of regents' universities and Washburn university: *Provided*, That such interim study committee shall also review the comprehensive studies conducted pursuant to section 145(k) of 2024 Senate Bill No. 28.

Sec. 11.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Domestic violence prevention grants (252-00-1000-0600).....\$3,000,000

Sec. 12.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (082-00-1000-0103).....\$554,442

Office of inspector general (082-00-1000-0300).....\$350,000

(b) During the fiscal year ending June 30, 2025, notwithstanding the provisions of section 32(g) of 2024 Senate Bill No. 28, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 by section 32 of 2024 Senate Bill No. 28, this or other appropriation act of the 2024 regular session of the legislature to implement or enforce the provisions of section 32(g) of 2024 Senate Bill No. 28 until the attorney general certifies to the legislature that the supreme court of the United States has issued a final order or opinion for all litigation concerning the obligations manufacturers participating in the 340B drug pricing program, 42 U.S.C. § 256b, have under state and federal law with respect to the use of contract pharmacies by the entities described in 42 U.S.C. § 256b(a)(4).

Sec. 13.

ATTORNEY GENERAL

(a) During the fiscal year ending June 30, 2026, notwithstanding the provisions of section 33 of 2024 Senate Bill No. 28, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2026 by section 33 of 2024 Senate Bill No. 28, this or other appropriation act of the 2024 or 2025 regular session of the legislature to implement or enforce the provisions of section 33 of 2024 Senate Bill No. 28 until the attorney general certifies to the legislature that the supreme court of the United States has issued a final order or opinion for all litigation concerning the obligations manufacturers participating in the 340B drug pricing program, 42 U.S.C. § 256b, have under state and federal law with respect to the use of contract pharmacies by the entities described in 42 U.S.C. § 256b(a)(4).

Sec. 14.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Professional employer organization fee fund.....No limit

Sec. 15.

STATE TREASURER

(a) On July 1, 2024, notwithstanding any provision of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2025, expenditures may be made from or obligation incurred against the build Kansas matching grant fund to award matching grant funds to local communities that qualify as eligible entities for any federal grant program moneys related to water, transportation, energy, cybersecurity or broadband infrastructure requiring state or local community matching funds: *Provided*, That a grant funding application requested by eligible entities from the build Kansas matching grant fund shall be submitted to the Kansas infrastructure hub prior to submission to the build Kansas advisory committee: *Provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer and the eligible entity submitting the grant application: *And provided further*, That the provisions of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas requiring written documentation to the state treasurer that such eligible entity's grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act shall apply to the grants authorized by this subsection for any other federal infrastructure grants awarded that are related to water, transportation, energy, cybersecurity or broadband infrastructure: *And provided further*, That, after the eligible entity submits such application to the Kansas infrastructure hub, advises and consults with the build Kansas advisory committee and receives notification of federal approval, the state treasurer shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*, That, if during fiscal year 2025, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to finance grant applications approved pursuant to the provisions of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas and finance grants awarded to an eligible entity's infrastructure project funded pursuant to this subsection, the provisions of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas concerning requesting approval from the state finance council for a transfer of funding shall apply: *And provided further*, That the geographical distribution based on the department of commerce's Kansas economic development districts provisions of section 12(a) of chapter 97 of the 2023 Session Laws of Kansas shall apply to the grants authorized by this subsection.

Sec. 16.

STATE TREASURER

(a) On July 1, 2025, notwithstanding any provision of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2026, expenditures may be made from or obligation incurred against the build Kansas matching grant fund to award matching grant funds to local communities that qualify as eligible entities for any federal grant program moneys related to water, transportation, energy, cybersecurity or broadband infrastructure requiring state or local community matching funds: *Provided*, That a grant funding application requested by eligible entities from the build Kansas matching grant fund shall be submitted to the Kansas infrastructure hub prior to submission to the build Kansas advisory committee: *Provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request

and shall report such committee's advice to the state treasurer and the eligible entity submitting the grant application: *And provided further*; That the provisions of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas requiring written documentation to the state treasurer that such eligible entity's grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act shall apply to the grants authorized by this subsection for any other federal infrastructure grants awarded that are related to water, transportation, energy, cybersecurity or broadband infrastructure: *And provided further*; That, after the eligible entity submits such application to the Kansas infrastructure hub, advises and consults with the build Kansas advisory committee and receives notification of federal approval, the state treasurer shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*; That, if during fiscal year 2026, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to finance grant applications approved pursuant to the provisions of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas and finance grants awarded to an eligible entity's infrastructure project funded pursuant to this subsection, the provisions of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas concerning requesting approval from the state finance council for a transfer of funding shall apply: *And provided further*; That the geographical distribution based on the department of commerce's Kansas economic development districts provisions of section 13(a) of chapter 97 of the 2023 Session Laws of Kansas shall apply to the grants authorized by this subsection.

Sec. 17.

STATE TREASURER

(a) On July 1, 2026, notwithstanding any provision of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2027, expenditures may be made from or obligation incurred against the build Kansas matching grant fund to award matching grant funds to local communities that qualify as eligible entities for any federal grant program moneys related to water, transportation, energy, cybersecurity or broadband infrastructure requiring state or local community matching funds: *Provided*, That a grant funding application requested by eligible entities from the build Kansas matching grant fund shall be submitted to the Kansas infrastructure hub prior to submission to the build Kansas advisory committee: *Provided further*; That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer and the eligible entity submitting the grant application: *And provided further*; That the provisions of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas requiring written documentation to the state treasurer that such eligible entity's grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act shall apply to the grants authorized by this subsection for any other federal infrastructure grants awarded that are related to water, transportation, energy, cybersecurity or broadband infrastructure: *And provided further*; That, after the eligible entity submits such application to the Kansas infrastructure hub, advises and consults with the build Kansas advisory committee and receives notification of federal approval, the state treasurer shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*; That, if

during fiscal year 2027, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to finance grant applications approved pursuant to the provisions of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas and finance grants awarded to an eligible entity's infrastructure project funded pursuant to this subsection, the provisions of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas concerning requesting approval from the state finance council for a transfer of funding shall apply: *And provided further*, That the geographical distribution based on the department of commerce's Kansas economic development districts provisions of section 14(a) of chapter 97 of the 2023 Session Laws of Kansas shall apply to the grants authorized by this subsection.

Sec. 18.

STATE TREASURER

(a) On July 1, 2027, notwithstanding any provision of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas to the contrary, during fiscal year 2028, expenditures may be made from or obligation incurred against the build Kansas matching grant fund to award matching grant funds to local communities that qualify as eligible entities for any federal grant program moneys related to water, transportation, energy, cybersecurity or broadband infrastructure requiring state or local community matching funds: *Provided*, That a grant funding application requested by eligible entities from the build Kansas matching grant fund shall be submitted to the Kansas infrastructure hub prior to submission to the build Kansas advisory committee: *Provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer and the eligible entity submitting the grant application: *And provided further*, That the provisions of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas requiring written documentation to the state treasurer that such eligible entity's grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act shall apply to the grants authorized by this subsection for any other federal infrastructure grants awarded that are related to water, transportation, energy, cybersecurity or broadband infrastructure: *And provided further*, That, after the eligible entity submits such application to the Kansas infrastructure hub, advises and consults with the build Kansas advisory committee and receives notification of federal approval, the state treasurer shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*, That, if during fiscal year 2028, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to finance grant applications approved pursuant to the provisions of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas and finance grants awarded to an eligible entity's infrastructure project funded pursuant to this subsection, the provisions of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas concerning requesting approval from the state finance council for a transfer of funding shall apply: *And provided further*, That the geographical distribution based on the department of commerce's Kansas economic development districts provisions of section 15(a) of chapter 97 of the 2023 Session Laws of Kansas shall apply to the grants authorized by this subsection.

Sec. 19.

HEALTH CARE STABILIZATION FUND BOARD OF GOVERNORS

(a) Notwithstanding the provisions of K.S.A. 40-3401, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds of the above agency for fiscal year 2025 as authorized by section 41 of 2024 Senate Bill No. 28, this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2025 to deem a maternity center as a "healthcare provider" for the purposes of the healthcare provider insurance availability act, K.S.A. 40-3401 et seq., and amendments thereto, if such maternity center: (1) Has been granted accreditation by the commission for accreditation of birth centers; or (2) is a maternity center as defined in K.S.A. 65-503, and amendments thereto.

Sec. 20.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Judiciary operations (677-00-1000-0103).....\$1,016,431

Sec. 21.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Judiciary operations (677-00-1000-0103).....\$6,823,960

Sec. 22.

KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

(a) On July 1, 2024, the amount of \$56,748,405 authorized by section 50(c) of 2024 Senate Bill No. 28 to be transferred by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$61,748,405: *Provided, however*; That if 2024 Senate Bill No. 387 or other legislation that appropriates \$5,000,000 for the department of education from the children's initiatives fund for the fiscal year ending June 30, 2025, for a children's cabinet public-private partnership pilot program is not passed by the legislature during the 2024 regular session and enacted into law, then: (1) The director of accounts and reports shall not increase the transfer to \$61,748,405; and (2) on July 1, 2024, the provisions of this subsection are hereby declared to be null and void and shall have no force and effect.

Sec. 23.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Debt service refunding – 2016H (173-00-1000-0464).....\$19,985,062

Provided, That during the fiscal year ending June 30, 2024, expenditures shall be made from the debt service refunding – 2016H account by the above agency, in consultation with the Kansas development finance authority, solely for the purpose of paying the costs, including transaction costs, of prepaying, redeeming, defeasing or purchasing, on the open market or through a tender offer or other transaction, all of the outstanding maturities of the Kansas development finance authority refunding revenue bonds (state of Kansas projects), series 2016H: *Provided further*; That all such

transactions shall be on the terms of and pursuant to all necessary and appropriate agreements by, between or among the above agency, the Kansas development finance authority and such other agencies or parties as deemed necessary by the above agency or the Kansas development finance authority to complete such transactions: *And provided further*, That any 2016H bonds that are purchased on the open market or through a tender offer or other transaction shall promptly be retired: *And provided further*, That the director of the budget, in consultation with the Kansas development finance authority, shall determine any amount required to be paid for arbitrage rebate and yield restriction liability related to such transaction on all of the outstanding maturities of the Kansas development finance authority refunding revenue bonds (state of Kansas projects), series 2016H: *And provided further*, That the director of the budget shall certify the amount of such arbitrage rebate and yield restriction liability to the director of accounts and reports and upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer such certified amount from the state general fund to the 2016H state of Kansas projects rebate account (176-7261- 7259) of the Kansas development finance authority: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research. Debt service refunding – 2020S (173-00-1000-8564).....\$4,673,600

Provided, That during the fiscal year ending June 30, 2024, expenditures shall be made from the debt service refunding – 2020S account by the above agency, in consultation with the Kansas development finance authority, solely for the purpose of paying the costs, including transaction costs, of prepaying, redeeming, defeasing or purchasing, on the open market or through a tender offer or other transaction, all of the outstanding maturities of the Kansas development finance authority taxable refunding revenue bonds (state of Kansas projects), series 2020S: *Provided further*, That all such transactions shall be on the terms of and pursuant to all necessary and appropriate agreements by, between or among the above agency, the Kansas development finance authority and such other agencies or parties as deemed necessary by the above agency or the Kansas development finance authority to complete such transactions: *And provided further*, That any 2020S bonds that are purchased on the open market or through a tender offer or other transaction shall promptly be retired: *Provided, however*, That no expenditures shall be made from this account for the debt service refunding transaction of series 2020S bonds until such transaction is approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

(b) On the effective date of this act, the \$19,985,062 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 152(a) of 2024 Senate Bill No. 28 from the state general fund in the debt service refunding – 2016H account (173-00-1000-0464), is hereby lapsed: *Provided*, That on the effective date of this act, the provisions of the proviso under section 152(a) of 2024 Senate Bill No. 28 for the debt service refunding – 2016H account (173-00-1000-0464) of the state general fund are hereby declared to be null and void and shall have no force and effect.

(c) On the effective date of this act, the \$4,673,600 appropriated for the above

agency for the fiscal year ending June 30, 2024, by section 152(a) of 2024 Senate Bill No. 28 from the state general fund in the debt service refunding – 2020S account (173-00-1000-8564), is hereby lapsed: *Provided*, That on the effective date of this act, the provisions of the proviso under section 152(a) of 2024 Senate Bill No. 28 for the debt service refunding – 2020S account (173-00-1000-8564) of the state general fund are hereby declared to be null and void and shall have no force and effect.

(d) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Debt service refunding – 2016H (173-00-1000-0464).....\$6,293,376

Provided, That any unencumbered balance in the debt service refunding – 2016H account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That during fiscal year 2025, the provisions of the provisos in subsection (a) concerning any reappropriated balance shall apply to the expenditure of such reappropriated balance from such account.

Any unencumbered balance in the debt service refunding – 2020S account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That during fiscal year 2025, the provisions of the provisos in subsection (a) concerning any reappropriated balance shall apply to any expenditure of such reappropriated balance from such account.

(e) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Emil Joseph Kapaun memorial fund.....No limit

(f) On July 1, 2024, the provisions of the proviso under section 153(a) of 2024 Senate Bill No. 28 for the debt service refunding – 2020S account (173-00-1000-8564) of the state general fund are hereby declared to be null and void and shall have no force and effect.

(g) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 by section 56 of 2024 Senate Bill No. 28, this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for the purpose of preparing a report pertaining to the affordability of the state employee health plan member's share of costs for diagnostic and supplemental breast examinations for the members: *Provided*, That the above agency shall include in the report information about the number of members of the state employee health plan who have received a screening mammogram during fiscal year 2022, fiscal year 2023, and fiscal year 2024, and of those members, the number who: (1) Received a recommendation for further diagnostic or supplemental breast examination; (2) received such additional breast examination services; and (3) did not receive such additional breast examination services because the member could not afford the member's share of costs: *Provided further*, That the above agency shall include in the report an analysis of whether the current array of coverage options for members, including tax-advantaged accounts and voluntary benefits, are adequate to provide affordable access to diagnostic and supplemental breast examinations for members: *And provided further*, That the

above agency shall submit the report to the president of the senate and the speaker of the house of representatives on or before March 1, 2025: *And provided further*, That prior to submission, the report shall be approved by a majority of the members of the Kansas state employees health care commission and may include any written response from any member of the commission that voted against approving the report.

Sec. 24.

OFFICE OF INFORMATION TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Kansas information security office (335-00-1000-0060).....\$375,000

Sec. 25.

STATE BOARD OF TAX APPEALS

(a) On the effective date of this act, of the \$255,007 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 59(a) of 2024 Senate Bill No. 28 from the state general fund in the operating expenditures account (562-00-1000-0103), the sum of \$250,000 is hereby lapsed.

Sec. 26.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (562-00-1000-0103).....\$118,837

Sec. 27.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 63(a) of 2024 Senate Bill No. 28 to be transferred from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) during the fiscal year ending June 30, 2024, is hereby increased from \$72,490,000 to \$75,490,000.

Sec. 28.

KANSAS LOTTERY

(a) For the fiscal years ending June 30, 2025, and June 30, 2026, the director of the budget, in consultation with the director of legislative research, shall certify, by June 25 of each such fiscal year, the aggregate of all amounts certified by the executive director of the Kansas lottery that have been transferred from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) that is in excess of, or is less than, \$71,490,000 and shall transmit such certification to the director of accounts and reports: *Provided, however*, That for each such fiscal year, the amount certified shall not include sports wagering revenues deposited in the lottery operating fund: *Provided further*, That, notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, or any other statute, upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount of excess revenues certified by the director of the budget for each such fiscal year from the state gaming revenues fund to the attracting professional sports to Kansas fund (300-00-2942) of the department of commerce: *And provided, however*, That if the amount certified by the director of the budget for each such fiscal year is less than \$71,490,000, then no transfer to the attracting professional sports to Kansas fund shall be made.

Sec. 29.

KANSAS RACING AND GAMING COMMISSION

(a) During the fiscal years ending June 30, 2025, and June 30, 2026, notwithstanding the provisions of K.S.A. 74-8823, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2025 and 2026, as authorized by section 66 of 2024 Senate Bill No. 28, this or any other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures shall be made from such moneys during fiscal year 2025 and fiscal year 2026 by the above agency to use the amounts of moneys remitted pursuant to the provisions of K.S.A. 74-8823(a)(5), and amendments thereto, and credited to the state racing fund (553-00-5131-5000) to cover the costs of the above agency to enforce and oversee the operation of historical horse race machines: *Provided*, That when the above agency, in consultation with the director of the budget, determines that the amount of such remittances has covered such costs, the director of the budget shall certify such information to the director of accounts and reports: *Provided further*, That of the remaining moneys remitted pursuant to the provisions of K.S.A. 74-8823(a)(5), and amendments thereto, the director of accounts and reports shall credit 1/3 of the amount of such moneys to the Kansas horse breeding development fund (553-00-2516-2300) and 2/3 of the amount of such moneys to the horse fair racing benefit fund (553-00-2296-3000): *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 30.

DEPARTMENT OF COMMERCE

(a) On the effective date of this act, of the \$6,250,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 77(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the APEX account (300-00-1000), the sum of \$6,250,000 is hereby lapsed.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$2,950,000 from the American rescue plan state relief – federal fund (300-00-3756) of the department of commerce to the state general fund.

Sec. 31.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Eisenhower foundation educational facility.....\$5,000,000

Provided, That expenditures shall be made from such account to construct a new facility on the campus of the Eisenhower presidential library to expand K-12 educational programming on-site: *Provided further*, That all expenditures from such account shall require a match of nonstate or private moneys on the basis of \$2 of nonstate or private moneys to \$1 of state moneys: *And provided further*, That for the fiscal year ending June 30, 2025, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the educational facility, may be expended at the discretion of the state in compliance

with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*; That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2025 to be used for such educational facility, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount of up to \$5,000,000 as available from such funds to the special revenue fund of the above agency and as designated by the secretary of commerce for the purpose of funding such educational facility: *And provided further*; That on the effective date of such transfer, of the \$5,000,000 appropriated for the above agency for the fiscal year ending June 30, 2025, by this section from the state general fund in the Eisenhower foundation educational facility account, the aggregate amount transferred is hereby lapsed: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sports hall of fame support.....\$200,000

Provided, That the department of commerce and the Kansas sports hall of fame shall submit a progress report to the senate committee on ways and means and the house of representatives committee on appropriations on or before January 31, 2025.

(b) On July 1, 2024, the director of accounts and reports shall transfer \$5,000,000 from the state general fund to the attracting powerful economic expansion payroll incentive fund (300-00-2943) established by K.S.A. 2023 Supp. 74-50,316, and amendments thereto.

(c) On July 1, 2024, the director of accounts and reports shall transfer \$7,000,000 from the state general fund to the attracting powerful economic expansion new employee training and education fund (300-00-2944) established by K.S.A. 2023 Supp. 74-50,318, and amendments thereto.

(d) On July 1, 2024, the director of accounts and reports shall transfer \$1,200,000 from the state general fund to the attracting powerful economic expansion residency incentive fund (300-00-2945) established by K.S.A. 2023 Supp. 74-50,323, and amendments thereto.

(e) On July 1, 2024, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 2023 Supp. 74-8793, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,000,000 from the attracting professional sports to Kansas fund (300-00-2942) of the department of commerce to the existing horse racing facility remodel fund of the department of commerce.

(f) On July 1, 2024, the provisions of section 68(l) of 2024 Senate Bill No. 28 are hereby declared to be null and void and shall have no force and effect and the sports hall of fame support fund is hereby abolished.

Sec. 32.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2026, the following:

Sports hall of fame support.....\$200,000

(b) On July 1, 2025, the provisions of section 69(b) of 2024 Senate Bill No. 28 are hereby declared to be null and void and shall have no force and effect.

Sec. 33.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas sheltered workshop transition fund.....No limit

Sec. 34.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) – health (264-00-1000-0270).....\$10,000

Provided, however, That if 2024 House Bill No. 2749 is not passed by the legislature during the 2024 regular session and enacted into law, then on the effective date of this act, the \$10,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, by this section in the operating expenditures (including official hospitality) – health account, is hereby lapsed.

Adult inpatient behavioral health services.....\$5,000,000

Provided, That expenditures shall be made from the adult inpatient behavioral health services account in the amount of \$5,000,000 for providing adult and adolescent inpatient behavioral and mental health services at ascension Via Christi St. Joseph campus and NMC health and such expenditures shall be distributed based on the number of behavioral and mental health beds available at each facility.

HIV testing (264-00-1000).....\$121,500

Sec. 35.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

HIV testing (264-00-1000).....\$48,600

Any unencumbered balance in the following accounts in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: (1) Immunization programs (264-00-1000-1400); and (2) adult inpatient behavioral health services account: *Provided,* That during fiscal year 2025, the provisions of the provisos in section 34(a) shall apply to any expenditure from the adult inpatient behavioral health services account of the state general fund.

(b) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 77(a) of 2024 Senate Bill No. 28 on the aid to local units – primary health projects account (264-00-1000-0460) for distribution for community-based primary care grants and services provided by the community care network of Kansas is hereby decreased from \$20,750,690 to \$18,750,690.

Sec. 36.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Other medical assistance (264-00-1000-3026).....\$10,500,000
Sec. 37.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Other medical assistance (264-00-1000-3026).....\$29,381,327
Provided, That expenditures shall be made from the other medical assistance account during fiscal year 2025 to provide coverage for dental exams, x-rays and cleanings.
Sec. 38.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Small town infrastructure (264-00-1000).....\$6,000,000
Provided, That expenditures shall be made by the above agency from the small town infrastructure account in the amount of \$1,233,100 for the purpose of providing grants specific to wastewater treatment systems: *Provided further*, That expenditures shall be made by the above agency from the small town infrastructure account in the amount of \$4,766,900 for the purpose of providing grants specific to drinking water systems.
Sec. 39.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

KanCare caseloads (039-00-1000-0610).....\$4,000,000
Non-KanCare caseloads (039-00-1000-0611).....\$190,000
Behavioral health services (039-00-1000-3004).....\$47,000
Provided, That expenditures shall be made by such agency from such account in an amount of \$47,000 for drug abuse and addiction prevention services for youth at the Kansas City full circle program, inc.
Sec. 40.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

State operations (039-00-1000-0801).....\$196,800
Provided, however, That if 2024 House Bill No. 2784 is not passed by the legislature during the 2024 regular session and enacted into law, then on the effective date of this act, the \$196,800 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, by this section in the state operations account, is hereby lapsed.
Regional beds (039-00-1000-3003).....\$26,500,000

Provided, however, That during fiscal year 2025, no expenditures shall be made from this account for the Sedgwick county regional psychiatric hospital until such expenditure is approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

CDDO support (039-00-1000-4001).....	\$500,000
KanCare caseloads (039-00-1000-0610).....	\$14,000,000
Non-KanCare caseloads (039-00-1000-0611).....	\$1,812,000
Larned state hospital – operating expenditures account (410-00-1000-0103).....	\$9,941,339
Osawatomic state hospital – operating expenditures account (410-00-1000-0100).....	\$15,465,013
Behavioral health services (039-00-1000-3004).....	\$6,235,000

Provided, That expenditures shall be made by such agency from such account in an amount of \$250,000 for the EmberHope Youthville program to expand family on-site visitation services and support family engagement with residents of the psychiatric residential treatment facility: *Provided further,* That expenditures shall be made by such agency from such account in an amount of \$185,000 for drug abuse and addiction prevention services for youth at the Kansas City full circle program, inc.

Valley hope substance use disorder.....	\$2,500,000
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Provided, That expenditures shall be made from the valley hope substance use disorder account for infrastructure to expand valley hope located in Atchison, Kansas: *Provided, however,* That as a condition of receiving moneys from such account and subject to the provisions of section 41, valley hope shall provide that 10% of the total capacity of beds in the Atchison facility shall be used for medicaid eligible substance abuse treatment inpatient beds.

Indigent support.....	\$3,500,000
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Provided, That expenditures shall be made from the indigent support account for providing support to the substance use disorder providers who provide services to individuals who have no insurance or other medical coverage: *Provided further,* That the above agency shall develop guidelines for providers to apply for the funds and establish a review team for the application for funds to determine that such funds are being appropriately used to provide services to such indigent individuals.

Mental health intervention team pilot (039-00-1000).....	\$4,500,000
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Provided, That any unencumbered balance in the mental health intervention team pilot account (652-00-1000-0150) of the department of education in excess of \$100 as of June 30, 2024, is hereby reappropriated to the mental health intervention team pilot account (039-00-1000) of the above agency for fiscal year 2025: *Provided further,* That expenditures shall be made by the above agency from such account during fiscal year 2025 in an amount of \$1,500,000 for qualified schools: *And provided further,* That expenditures shall be made by the above agency from such account during fiscal year 2025, including moneys appropriated in section 83(a) of 2024 Senate Bill No. 28, to establish the mental health intervention team program as provided by the provisions of this proviso:

- (1) *And provided further,* That such school district program shall be a continuation of the mental health intervention team pilot program first established

pursuant to section 1 of chapter 57 of the 2018 Session Laws of Kansas and K.S.A. 72-9943, and amendments thereto, and continued and expanded through subsequent appropriation acts of the legislature: *And provided further*, That the purposes of the mental health intervention team program are to: Provide greater access to behavioral health services for students enrolled in kindergarten or any of the grades one through 12 and establish a coherent structure between school districts and mental health intervention team providers to optimize scarce behavioral health resources and workforce; identify students, communicate with families and link students and their families to the statewide behavioral health systems and resources within the network of mental health intervention team providers; alleviate the shortage of staff with specialized degrees or training such as school counselors, psychologists and social workers and reduce the competition for such staff between school districts and other private and governmental service providers to provide broader-based and collaborative services to students, especially in rural districts that do not have enough students to justify a full-time staff position; provide and coordinate mental health services to students throughout the calendar year, not only during school hours over nine months of the school year; and reduce barriers that families experience to access mental health services and maintain consistency for a child to attend recurring sessions and coordination between the child's classroom schedule and the provision of such services: *And provided further*, That the program shall focus on the following students: Any student who has been adjudicated as a child in need of care and is in the custody of the secretary for children and families or has been referred for a families first program or family preservation program; and any other student who is in need of mental health support services: *And provided further*, That the secretary for aging and disability services shall appoint a mental health intervention team program manager and, within the limits of appropriations therefor, such additional staff as necessary to support such manager: *And provided further*, That the above agency shall oversee and implement the mental health intervention team program in accordance with the requirements of this proviso and the policies and procedures established by the above agency pursuant to this proviso: *And provided further*, That during fiscal year 2025, the board of education of a school district may apply to the above agency to establish or maintain a mental health intervention team program within such school district: *And provided further*, That the application shall be in such form and manner as the above agency requires and submitted at a time determined and specified by such agency: *And provided further*, That each application submitted by a school district shall specify the mental health intervention team provider that the school intends to coordinate with to provide school-based services to students who need assistance during the applicable school year: *And provided further*, That the school district shall provide notice to the mental health intervention team provider as soon as they are able of their intent to partner for the following school year: *And provided further*, That the above agency shall establish an application review committee that shall include representatives from mental health intervention team providers and the department of education: *And provided further*, That if a school district and mental health intervention team provider are approved to establish or maintain a mental health intervention team program, the school district shall enter into a memorandum of understanding with a partnering mental health intervention team provider: *And provided further*, That if the school district chooses to partner with more than one mental health intervention team provider, the school district shall enter

into a separate memorandum of understanding with each such mental health intervention team provider: *And provided further*; That the above agency may establish requirements for a memorandum of understanding, including contractual provisions that are required to be included in each memorandum of understanding and that are optional and subject to agreement between the school district and the mental health intervention team provider: *And provided further*; That each memorandum of understanding shall be submitted to the above agency for final approval: *And provided further*; That the above agency may authorize another category of provider other than a mental health intervention team provider to serve as a partnering provider under the mental health intervention team program pursuant to this proviso: *And provided further*; That such category of provider shall provide the required services and otherwise meet the requirements of a partnering mental health intervention team provider under this proviso: *And provided further*; That if the above agency authorizes another category of provider other than a mental health intervention team provider, such agency shall provide notification of this decision to the mental health intervention team provider that provides services in that county: *And provided further*; That, subject to appropriations therefor, a school district and mental health intervention team provider that have been approved by the above agency to establish or maintain a mental health intervention team program shall be eligible to receive a mental health intervention team program grant and a mental health intervention team provider pass-through grant: *Provided, however*; That the amount of a school district's mental health intervention team program grant shall be determined in each school year by calculating the total amount of the salary and fringe benefits paid by the school district to each school liaison: *And provided further*; That the amount of a school district's mental health intervention team provider pass-through grant shall be an amount equal to 35% of the amount of the school district's mental health intervention team grant: *And provided further*; That moneys provided to a school district for the mental health intervention team provider pass-through grant shall be paid to any mental health intervention team provider that partners with the school district: *And provided further*; That if the amount of appropriations are insufficient to pay in full the amount of all grants school districts are entitled to receive for the school year, the above agency shall prorate the amount appropriated among all districts: *And provided further*; That the above agency shall be responsible for the allocation and distribution of grants in accordance with appropriation acts: *And provided further*; That the above agency may make grant payments in installments and may provide for payments in advance or by way of reimbursement and may make any necessary adjustments for any overpayment to a school district: *And provided further*; That the above agency shall not award any grant to a school district unless such district has entered into a memorandum of understanding with a partnering mental health intervention team provider in accordance with this proviso: *And provided further*; That any remaining appropriations that were not allocated to the mental health intervention team program shall provide funding in the form of grants from the above agency to the association of mental health intervention team providers of Kansas to fund training for school districts participating in the mental health intervention team program pursuant to this proviso: *And provided further*; That the above agency shall seek advice from mental health intervention team providers prior to awarding any grant under this subsection: *And provided further*; That the above agency may waive the requirement that a school district employ a school liaison and

may instead authorize a mental health intervention team provider that partners with the school district to employ a school liaison: *And provided further*; That such waiver shall only be granted by the above agency in limited circumstances: *And provided further*; That a school district that is granted a waiver pursuant to this proviso shall continue to be eligible to receive the mental health intervention team program grant and the mental health intervention team provider pass-through grant authorized pursuant to this proviso: *And provided further*; That the amount of the mental health intervention team program grant shall be determined in the same manner as provided under this proviso as though the school liaison was employed by such school district: *And provided further*; That upon receipt of any moneys awarded pursuant to the mental health intervention team program grant to any such school district, the school district shall direct payment of such amount to the mental health intervention team provider that employs the school liaison: *And provided further*; That on or before January 13, 2025, the above agency shall prepare and submit a report on the mental health intervention team program for the preceding school year to the house of representatives standing committees on appropriations, social services budget and health and human services, or their successor committees, and the senate standing committees on ways and means, ways and means subcommittee on human services and public health and welfare, or their successor committees: *And provided further*; That such report shall provide a summary of the program, including, but not limited to, the school districts that applied to participate or continued participating under the program, the mental health intervention team providers, the grant amount each such school district received and the payments made by school districts from the mental health intervention team program fund of each school district: *And provided further*; That the staff required for the establishment and maintenance of a mental health intervention team program shall include a combination of one or more behavioral health liaisons employed by the school district and one or more case managers and therapists licensed by the behavioral sciences regulatory board who are employed by the partnering mental health intervention team provider: *And provided further*; That all staff working together under a school district's program shall be known as the mental health intervention team of the school district: *And provided further*; That the school district and the mental health intervention team provider shall cooperate and work together to identify needs specific to the students in the school district, and the families of such students and shall develop an action plan to implement a school-based program that is tailored to such needs: *And provided further*; That a school district that participates in the program shall employ one or more school liaisons who will help students in need and coordinate services between the school district, the student, the student's family and the mental health intervention team provider: *And provided further*; That a school liaison shall have a bachelor's degree in any field of study: *And provided further*; That a school liaison's roles and responsibilities include, but are not limited to: Identifying appropriate student referrals for the team to engage with; act as a liaison between the school district and the mental health intervention team provider and be the primary point of contact for communications between the school district and the mental health intervention team provider; assist with mental health intervention team provider staff understanding of the school district's system and procedures including the school calendar, professional development, drills and crisis plan protocols; triage prospective student referrals and help decide how to prioritize interventions; help the mental health intervention team provider and other school

personnel understand the roles and responsibilities of the mental health intervention team; facilitate communications and connections between families of identified students and the mental health intervention team provider's staff; coordinate a student's treatment schedule with building administrators and classroom teachers, to optimize clinical therapist's productivity; troubleshoot problems that arise and work with the mental health intervention team provider to resolve such problems; track and compile outcomes to monitor the effectiveness of the program; maintain and update the department of education mental health intervention team database as directed by the above agency and required by this section; follow up with child welfare contacts if a student has moved schools to get the child's educational history; be an active part of the school intervention team and relay information back to mental health intervention team provider staff, including student observations, intervention feedback from teachers, communications with family and other relevant information; work with school administration to identify and provide confidential space for a mental health intervention team provider therapist; assist in planning continuity of care through summer services; and submit an annual report to the above agency on how the liaison complied with the required roles and responsibilities: *And provided further*, That within the scope of employment by a school district, an individual employed as a school liaison shall primarily perform roles and responsibilities that are related to the school liaison position as described in this section: *And provided further*, That once the initial referral has been completed for a student, all relevant information shall be entered into the database within 14 calendar days: *And provided further*, That a mental health intervention team provider that partners with a school district shall employ one or more therapists licensed by the behavioral sciences regulatory board who will collaborate with the school district to assist students in need and provide services to such students under the program: *And provided further*, That a therapist's roles and responsibilities under the program include, but are not limited to: Assist the school liaison with the identification of appropriate student referrals to the program; triage student referrals with the school liaison to prioritize treatment interventions for identified students; work with the school liaison to connect with families or child welfare contacts to obtain consent to commence treatment; conduct a clinical assessment of the identified student and make appropriate treatment recommendations; engage with the student, family or child welfare contacts in clinical interventions as identified on the treatment plan and provide individual and family therapy; administer scales or tests to detect areas of concern with depression, anxiety, self-harm or other areas as identified; make referrals to other treatment modalities as appropriate; communicate educationally appropriate information to the school liaison, such as interventions and strategies for use by classroom and school staff; gather outcome data to monitor the effectiveness of the program; coordinate with the case manager to identify ways to support the student and family; provide therapy services as determined by the students' treatment plan; and maintain the treatment plan and necessary treatment protocols required by the mental health intervention team provider: *And provided further*, That a mental health intervention team provider that partners with a school district shall employ one or more case managers who will collaborate with the school district to assist students in need and to coordinate services under the program: *And provided further*, That a case manager's roles and responsibilities under the program include, but are not limited to: Work with the school liaison and clinical therapist to identify students and triage priorities for treatment; provide outreach to

students, families and child welfare contacts to help engage in treatment; participate in the treatment planning process; communicate with the school liaison and other school district personnel about student needs, interventions and progress; help maintain communication between all entities, including the family, student, school, clinical therapist, child welfare contacts and the community; maintain the treatment plan and necessary treatment protocols required by the mental health intervention team provider; make referrals to appropriate community resources; help reconnect students and families when they are not following through with the treatment process; help families negotiate barriers to treatment; and engage with the student in the classroom, the home or the community to help build skills wherever needed: *And provided further*; That each school district that receives moneys for the mental health intervention team program grant or the mental health intervention team provider pass-through grant awarded pursuant to this proviso shall credit the moneys to a mental health intervention team program fund created by such school district: *And provided further*; That moneys in such fund shall be used by a school district to: Pay for the expenditures that are attributable to the salary and fringe benefits of any school liaison employed by the school district pursuant to the mental health intervention team program; and provide payment to each partnering mental health intervention team provider in an amount equal to the mental health intervention team provider pass-through grant received by the school district: *And provided further*; That the school district shall keep separate accounting records for the school liaison expenditures and the pass-through grants to mental health intervention team providers: *And provided further*; That the above agency shall publish on its website an aggregated report of outcomes achieved, numbers served and associated information by the mental health intervention team program: *And provided further*; That the above agency shall establish a crisis hotline, available 24 hours a day, seven days a week, that individuals receiving services from the mental health intervention team program may access outside of the hours that such individuals are receiving services: *And provided further*; That such hotline shall be established for the purposes of providing information sharing and communications regarding crisis coordination and emergency response services:

(2) *And provided further*; That such qualified school district program shall be established and implemented by the board as established in this paragraph: *And provided further*; That the board shall be appointed by the secretary as follows: (A) A school psychologist employed by a qualified school; (B) a school administrator employed by a qualified school; (C) a mental health professional employed by a community mental health center; (D) a mental health professional employed by a federally qualified health center; (E) a representative of the state board of education; (F) a representative of the above agency; and (G) a parent or guardian of a qualified school student: *And provided further*; That the board shall establish a plan, including specified criteria, for the allocation of moneys to qualified schools for the establishment and maintenance of mental health intervention teams: *And provided further*; That such teams will provide timely support and resources to students facing mental health issues in order to promote a healthier learning environment: *And provided further*; That the board shall review the criteria for school district funding as provided in paragraph (1) and determine which such criteria will work best for the qualified schools: *And provided further*; That such criteria may include student population size, demonstrated need for mental health support and the availability of qualified staff: *And provided further*; That

any qualified school seeking funding for mental health intervention teams shall submit a proposal for funding to the board: *And provided further*, That the board shall evaluate each proposal based on the criteria established by the board: *And provided further*; That board shall make recommendations to the secretary on the allocation of funding and the secretary shall allocate funding for qualified schools based on such recommendations: *And provided further*; That the board shall oversee the implementation of the qualified school's mental health intervention teams: *And provided further*; That the board shall review the criteria for school district reporting, monitoring and evaluating as provided in paragraph (1) and determine which such criteria will work best for the qualified schools: *And provided further*; That the board shall establish such reporting, monitoring and evaluating to ensure that the mental health intervention teams effectively meet the needs of students and adhere to best practices in mental health care, program service delivery: *And provided further*; That on or before January 13, 2025, the above agency shall prepare and submit a report summarizing the mental health intervention team program for qualified schools to the house of representatives standing committees on appropriations, social services budget and health and human services, or their successor committees, and the senate standing committees on ways and means, ways and means subcommittee on human services and public health and welfare, or their successor committees: *And provided further*; That the board shall provide resources, training and support to qualified schools and such school's mental health intervention teams, including access to professional development opportunities, educational materials and networking opportunities with other qualified schools and mental health organizations; and

(3) *And provided further*, That as used in this proviso: (A) "Mental health intervention team provider" means a center organized pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, a mental health clinic organized pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or a federally qualified health center as defined by section 1905(1)(2)(B) of the federal social security act: *And provided further*; That "mental health intervention team provider" includes other provider categories as authorized by the above agency to serve as a partnering provider under the mental health intervention team program pursuant to this proviso: *And provided further*; That a provider under this proviso shall provide services, including: Support for students available 24 hours a day, seven days a week; person-centered treatment planning; and outpatient mental health services; (B) "school district" means a school district as defined in K.S.A. 72-5132, and amendments thereto; and (C) "qualified school" means any nonpublic school that provides education to elementary or secondary students and is accredited by the state board or a national or regional accrediting agency that is recognized by the state board for the purpose of satisfying the teaching performance assessment for professional licensure or is working in good faith toward such accreditation.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State licensure fee fund (039-00-2373-2370).....No limit

Provided, That expenditures shall be made from the state licensure fee fund for fiscal year 2025 for the purpose of providing oversight of supplemental healthcare services

agencies through annual registration and quarterly reporting: *Provided further*, That the above agency shall require a supplemental healthcare services agency to register with the above agency by completing a form established by such agency and pay a registration fee of not to exceed \$2,035: *And provided further*, That all fees received pursuant to this subsection shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state licensure fee fund: *And provided further*, That the above agency shall require a report from each registered supplemental healthcare services agency on a quarterly basis for each healthcare facility that participates in medicare or medicaid with which the supplemental healthcare services agency contracts: *And provided further*, That the report shall include a detailed list of the average amount that the supplemental healthcare services agency charged the healthcare facility for each individual agency employee category and the supplemental healthcare services agency paid to employees in each individual employee category: *And provided further*, That as used in this subsection, "supplemental healthcare services agency" means a person, firm, corporation, partnership or association engaged in for-hire business of providing or procuring temporary employment in healthcare facilities for healthcare personnel, including a temporary nursing staffing agency, or operates a digital website or digital smartphone application that facilitates the provision of the engagement of healthcare personnel and accepts requests for healthcare personnel through a digital website or digital smartphone application: *Provided, however*, That a "supplemental healthcare services agency" shall not include an individual who engages on their own behalf or to provide services on a temporary basis to healthcare facilities or a home health agency: *And provided further*, That as used in this subsection, "temporary nursing staffing agency" means a person, firm, corporation, partnership or association doing business within the state that supplies, on a temporary basis, registered nurses or licensed practical nurses to a hospital, nursing home or other facility requiring such services.

(c) On the effective date of this act, the provisions of the proviso under section 83(b) of 2024 Senate Bill No. 28 for the state licensure fee fund (039-00-2373-2370) are hereby declared to be null and void and shall have no force and effect.

(d) During the fiscal year ending June 30, 2025, notwithstanding the provisions of article 20 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 as authorized by section 83 and 155 of 2024 Senate Bill No. 28, this or any other appropriation act of the 2024 regular session of the legislature: (1) Expenditures may be made from such moneys during fiscal year 2025 for the secretary for aging and disability services to: (A) Waive a requirement of the rules and regulations adopted under article 20 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, if the secretary finds that the waiver of the regulatory requirement is in the public interest and will not detrimentally affect the life, safety, health or welfare of any person receiving care or treatment in a center, facility or hospital licensed under article 20 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, or an individual receiving services from a provider licensed under article 20 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto: *Provided*, That for the purposes of paragraph (1)(A), "provider" includes a: (i) Day service provider who

provides day support services for development in self-help, social, recreational skills and work skills for adults with intellectual or developmental disabilities that is licensed by the above agency; or (ii) separate and distinct dedicated division of a provider of day support services for development in self-help, social, recreational skills and work skills for adults with intellectual or developmental disabilities licensed by the above agency; and (B) make an order conditioning or restricting a license issued under article 20 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, using the notice and hearing procedure requirements pursuant to K.S.A. 39-2013, and amendments thereto; and (2) expenditures shall be made from such moneys during fiscal year 2025 for the secretary for aging and disability services to: (A) Advise the licensee of the opportunity to be heard in accordance with the Kansas administrative procedure act and to appeal such order in accordance with the provisions of the Kansas judicial review act when issuing the written notice of assessment pursuant to K.S.A. 39-2016, and amendments thereto; and (B) advise any licensee against whom a civil penalty has been assessed, that such licensee may appeal such assessment to the secretary within 10 days after receiving a written notice of assessment by filing a written notice of appeal with the office of administrative hearings specifying why such civil penalty should not be assessed: *Provided*, That such appeal shall not operate to stay the payment of the civil penalty: *Provided further*, That if the initial order issued by the office of administrative hearings finds in favor of the appellant and the secretary affirms the initial order, any civil penalties collected shall be refunded to the appellant licensee: *And provided further*, That either party may appeal the final order in accordance with the Kansas judicial review act.

(e) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 75-37,105, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025 by section 83 of 2024 Senate Bill No. 28, this or any other appropriation act of the 2024 regular session of the legislature, expenditures may be made by the above agency from such moneys to implement, in coordination with the department of administration division of personnel services, a program for the awarding of hiring, recruiting or retention bonuses to state employees who are employed at any state hospital or institution under the supervision of the secretary for aging and disability services: *Provided*, That the amount of such bonuses shall not exceed \$10,000 per state employee.

Sec. 41.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) During the fiscal year ending June 30, 2026, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2026, as authorized by section 84 of 2024 Senate Bill No. 28, this or any other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures shall be made from such moneys during fiscal year 2026 by the above agency to request from valley hope certification that valley hope is providing 10% of the total capacity of beds in the Atchison facility for medicaid eligible substance abuse treatment inpatient beds: *Provided*, That if valley hope fails to provide such certification on or before

January 1, 2026, valley hope shall reimburse the above agency \$2,500,000: *Provided further*, That if valley hope fails to reimburse the above agency, the above agency is hereby authorized to take legal action to collect such moneys, including filing for a lien to be attached on any real property owned by valley hope in the state of Kansas in the amount of any outstanding moneys required to be reimbursed pursuant to section 40 and this section.

Sec. 42.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Youth services aid and assistance (629-00-1000-7020).....\$4,928,600

Sec. 43.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Youth services aid and assistance (629-00-1000-7020).....\$36,198,287

State operations (including official hospitality) (629-00-1000-0013).....\$1,800,000

Provided, That expenditures shall be made by the above agency from such account in an amount of \$1,800,000 for a matching funds grant with a charitable organization exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code to provide toiletry kits for public elementary and secondary schools.

Sec. 44.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

KPERS – school employer contributions –

non-USDs (652-00-1000-0100).....\$1,631,443

(b) On the effective date of this act, of the \$531,880,516 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 2(a) of chapter 98 of the 2023 Session Laws of Kansas from the state general fund in the KPERS – school employer contributions – USDs account (652-00-1000-0110), the sum of \$7,914,323 is hereby lapsed.

(c) On the effective date of this act, of the \$2,558,881,605 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 4(a) of chapter 94 of the 2022 Session Laws of Kansas from the state general fund in the state foundation aid account (652-00-1000-0820), the sum of \$13,488,000 is hereby lapsed.

Sec. 45.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

KPERS – school employer contributions –

non-USDs (652-00-1000-0100).....\$2,887,068

Supplemental state aid (652-00-1000-0840).....\$8,000,000

(b) On July 1, 2024, of the \$506,277,807 appropriated for the above agency for the

fiscal year ending June 30, 2025, by section 2(a) of 2024 Senate Bill No. 387 from the state general fund in the KPERs – school employer contributions – USDs account (652-00-1000-0110), the sum of \$7,533,362 is hereby lapsed.

(c) On July 1, 2024, of the \$2,825,725,000 appropriated for the above agency for the fiscal year ending June 30, 2025, by section 3(a) of chapter 98 of the 2023 Session Laws of Kansas from the state general fund in the state foundation aid account (652-00-1000-0820), the sum of \$23,066,474 is hereby lapsed.

(d) During the fiscal year ending June 30, 2025, notwithstanding any memorandum of agreement between the office of recovery and the above agency concerning the use of state fiscal recovery fund moneys, expenditures shall be made by the above agency from the ARPA agency state fiscal recovery fund (652-00-3756) or from any other federal elementary and secondary school emergency relief moneys appropriated for the above agency for fiscal year 2025 in an amount of \$1,000,000 for a youth career exploration program.

Sec. 46.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2026, the following:

Supplemental state aid (652-00-1000-0840).....\$23,200,000

(b) On July 1, 2025, of the \$3,027,848,697 appropriated for the above agency for the fiscal year ending June 30, 2026, by section 3(a) of 2024 Senate Bill No. 387 from the state general fund in the state foundation aid account (652-00-1000-0820), the sum of \$30,551,210 is hereby lapsed.

Sec. 47.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Blind information access program (434-00-1000-0500).....\$70,000

Sec. 48.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Charles Curtis home purchase.....\$300,000

Provided, That if the amount expended by the above agency to purchase the Charles Curtis home is less than \$300,000 based on the market value appraisals required by K.S.A. 76-2050, and amendments thereto, then the amount in excess of the purchase price for the Charles Curtis home shall lapse.

Sec. 49.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Kansas state university college of aviation jet.....\$1,200,000

Provided, That expenditures shall be made from this account for fiscal year 2025 for the shared lease or ownership, insurance, maintenance and operations of a jet-type aircraft for student training purposes.

Central immersive training hub.....\$3,950,000

Provided, That all expenditures shall be made by the above agency from the central

immersive training hub account for the central immersive training hub at the Kansas state university Salina campus.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, for the capital improvement project or projects specified, the following:

Dairy facility debt service.....\$2,635,000

(c) In addition to the other purposes for which expenditures may be made by Kansas state university from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2025, as authorized by sections 100 and 164 of 2024 Senate Bill No. 28, this or other appropriation act of the 2024 regular session of the legislature, expenditures may be made by Kansas state university from such moneys for fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct, renovate, develop and equip a dairy facility at the Manhattan campus of Kansas state university: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$34,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction and renovation of such project and, for a period of not more than one year following completion of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Kansas state university shall make provisions for the maintenance of the dairy facility: *And provided further*, That issuance of bonds for such capital improvement project shall be matched by Kansas state university on a 15% of the total project amount basis from other moneys of Kansas state university.

Sec. 50.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Emporia state model investment account (379-00-1000-0400).....\$9,000,000

Provided, That any unencumbered balance in the Emporia state model investment account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Sec. 51.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Institute for emerging technologies center for graphene.....\$500,000

Provided, That all expenditures from such account shall require a match of federal moneys on the basis of \$6 of federal moneys to \$1 of state moneys.

Sec. 52.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Kansas law enforcement training center operating expenditures.....\$12,000,000

Sec. 53.

WICHITA STATE UNIVERSITY

(a) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025, as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures may be made by Wichita state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the construction and equipment of the NIAR technology and innovation building on the innovation campus of Wichita state university: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$20,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*; That Wichita state university shall make provisions for the maintenance of the building.

(b) On the effective date of this act, the provisions of section 162(f) of chapter 82 of the 2023 Session Laws of Kansas are hereby declared to be null and void and shall

have no force and effect.
Sec. 54.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

- Need-based aid scholarship and recruitment (561-00-1000-0580).....\$2,500,000
- Rural family physician residency program expansion grant.....\$10,000,000

Provided, That all expenditures from the rural family physician residency program expansion grant account for fiscal year 2025 shall require a match of nonstate or private moneys on the basis of \$2 of nonstate or private moneys to \$1 of state moneys:

Provided further, That expenditures shall be made from such account for the expansion of an existing program located in a county with a population of between 40,000 and 60,000 as of the 2020 census that is designed to place rural family physicians in Kansas. Kansas nursing initiative grant program (561-00-1000-4130).....\$1,000,000

Provided, however, That during fiscal year 2025, as a condition of receiving such grant, any such recipient shall agree to be employed as a nurse in a health care facility in Kansas on a full-time basis for a period of 12 months for each year a grant was received or on a part-time basis for a period equivalent to 12 months, as determined by the above agency, for each year a grant was received, and shall not be employed by a supplemental healthcare services agency, as defined in section 40(b): *Provided*, That if the above agency determines a recipient is in violation of the provisions of this proviso, the above agency shall require such recipient reimburse the above agency in the amount of the grant.

- Nursing student scholarship program (561-00-1000-4100).....\$1,000,000

Provided, however, That during fiscal year 2025, as a condition of receiving such scholarship, any such recipient shall agree to be employed as a nurse in a health care facility in Kansas on a full-time basis for a period of 12 months for each year a scholarship was received or on a part-time basis for a period equivalent to 12 months, as determined by the above agency, for each year a scholarship was received, and shall not be employed by a supplemental healthcare services agency, as defined in section 40(b): *Provided*, That if the above agency determines a recipient is in violation of the provisions of this proviso, the above agency shall require such recipient reimburse the above agency in the amount of the scholarship.

- Kansas education opportunity scholarships.....\$1,700,000
- Hero's act scholarships.....\$1,000,000
- EMERGE program assistance.....\$1,100,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas national guard EMERGE program repayment fund.....No limit

(c) On the effective date of this act, the Kansas ethnic minority scholarship discontinued attendance fund of the state board of regents is hereby redesignated as the Kansas education opportunity scholarship discontinued attendance fund of the state board of regents.

(d) On July 1, 2024, or as soon thereafter as moneys are available, the director of

accounts and reports shall transfer \$1,000,000 from the state general fund to the Kansas adult learner grant program fund (561-00-2857-2857) of the state board of regents.

(e) During fiscal year 2025, notwithstanding the provisions of the Kansas promise scholarship act, K.S.A. 74-32,271 through 74-32,278, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2025 for such agency as authorized by section 116 of chapter 82 of the 2023 Session Laws of Kansas, section 116 of 2024 Senate Bill No. 28, this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2025 to allow Kansas students attending heartland welding academy, Wichita technical institute or Peaslee tech located in Kansas to be eligible to be awarded a scholarship pursuant to such program during the fiscal year ending June 30, 2025, if such student is attaining a certification in advanced manufacturing or building trades at such school or academy: *Provided*, That such expenditures from such program pursuant to this subsection shall be based on the number of qualifying students in the same proportional share as other qualifying students at not-for-profit independent institutions of higher education as described in K.S.A. 74-32,120, and amendments thereto.

(f) During fiscal year 2025, notwithstanding the provisions of the Kansas promise scholarship act, K.S.A. 74-32,271 through 74-32,278, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2025, as authorized by section 116 of chapter 82 of the 2023 Session Laws of Kansas, section 116 of 2024 Senate Bill No. 28, this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2025 to provide such scholarships to students who are otherwise eligible for the Kansas promise scholarship, agree to work in Kansas on a full-time basis for a period of 24 consecutive months, or on a part-time basis for a consecutive period equivalent to 24 months, as determined by the above agency, and are pursuing allied health professions, including, but not limited to, nursing professionals, laboratory technicians and assistants, respiratory therapists, occupation therapists and mental health professionals: *Provided*, That if the above agency determines a recipient is in violation of the provisions of this proviso, the above agency shall require such recipient reimburse the above agency in the amount of the scholarship.

Sec. 55.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2026, the following:

Need-based aid scholarship and recruitment (561-00-1000-0580).....	\$2,500,000
Hero's act scholarships.....	\$1,750,000
EMERGE program assistance.....	\$2,200,000

Sec. 56.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Facilities operations (521-00-1000-0303).....	\$4,000,000
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Regional inpatient juvenile substance use treatment.....\$2,500,000

Provided, That all moneys in the regional inpatient juvenile substance use treatment account shall be used for Mirror Incorporated to create a regional inpatient juvenile substance use treatment center in south central Kansas with the capacity of at a minimum forty beds.

(b) On the effective date of this act, of the amount of moneys appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2024, by section 118(a) of chapter 82 of the 2023 Session Laws of Kansas from the state general fund in the evidence-based programs account (521-00-1000-0050), the sum of \$7,500,000 is hereby lapsed.

Sec. 57.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Facilities operations (521-00-1000-0303).....\$21,900,625

(b) Any unencumbered balance in the Kansas penitentiary museum content development account in excess of \$100 as of June 30, 2024, is hereby reappropriated for the fiscal year 2025: *Provided*, That expenditures shall be made from the Kansas penitentiary museum content development account in consultation with the Lansing historical society in pursuit of establishing the Kansas penitentiary museum.

(c) Any unencumbered balance in the Lansing future prison museum stabilization account in excess of \$100 as of June 30, 2024, is hereby reappropriated for the fiscal year 2025: *Provided*, That all expenditures made from the Lansing future prison museum stabilization account shall be for assessing and making stabilization repairs in areas of the Lansing correctional facility to be used for a future prison museum.

(d) Any unencumbered balance in the Lansing correctional facility career campus account (521-00-1000) in excess of \$100 as of June 30, 2024, is hereby reappropriated for the fiscal year 2025.

(e) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund of funds for fiscal year 2025 by section 119 or 173 of 2024 Senate Bill No. 28, this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2025 for the purposes of executing an exclusive agreement with the Lansing historical society for the administration and operation of a museum located on the Lansing correctional facility grounds for historical preservation and education: *Provided*, That such agreement shall include provisions granting the Lansing historical society the exclusive right of running tours in the old Lansing correctional facility and outlining roles, responsibilities and restrictions regarding such tours.

(f) Any unencumbered balance in the regional inpatient juvenile substance use treatment account in excess of \$100 as of June 30, 2024, is hereby reappropriated for the fiscal year 2025: *Provided*, That during fiscal year 2025, the provisions of the provisos in section 56(a) shall apply to any expenditure from the regional inpatient juvenile substance use treatment account of the state general fund.

Sec. 58.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (034-00-1000-0053).....\$22,715
Sec. 59.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Operating expenditures (034-00-1000-0053).....\$22,715
Shooting team grants.....\$50,000

Provided, That expenditures shall be made from the shooting team grants account for the adjutant general to provide grants to shooting teams from the Kansas air national guard or the Kansas army national guard for ammunition, equipment and travel expenses for marksmanship matches: *Provided further*, That an eligible team shall have participated in: (1) The 2024 adjutant general's combat marksmanship match; and (2) a national guard marksmanship regional or national competition: *And provided further*, That upon application from eligible teams, at least one grant shall be awarded to a Kansas air national guard team and at least one grant shall be awarded to a Kansas army national guard team: *Provided, however*, That, if no team from one branch of the Kansas national guard meets the requirements of this proviso, the adjutant general may award all grants to teams from the other branch of Kansas national guard that meet such requirements: *And provided, however*, That the adjutant general shall not award a single team all moneys in the shooting team grants account.

Sec. 60.

KANSAS HIGHWAY PATROL

(a) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from the Kansas highway patrol operations fund (280-00-2034-1100) for fiscal year 2025 as authorized by section 125 of 2024 Senate Bill No. 28, this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made from the Kansas highway patrol operations fund to establish a license plate reader system pilot program, including fixed and mobile license plate readers: *Provided*, That the department of transportation shall install such license plate reader units in consultation with the Kansas highway patrol.

(b) On July 1, 2024, the amount of \$18,206,594.25 authorized by section 125(d) of 2024 Senate Bill No. 28 to be transferred by the director of accounts and reports from the state highway fund (276-00-4100-4100) of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol on July 1, 2024, October 1, 2024, January 1, 2025, and April 1, 2025, is hereby increased to \$18,706,594.25.

(c) On July 1, 2024, the expenditure limitation established by section 125(a) of 2024 Senate Bill No. 28 on the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol is hereby increased from \$72,826,377 to \$74,826,377.

(d) On July 1, 2024, the amount of \$575,181 authorized by section 175(e) of 2024 Senate Bill No. 28 to be transferred by the director of accounts and reports from the state highway fund (276-00-4100-4100) of the department of transportation to the scale replacement and rehabilitation and repair of buildings capital improvement account

(280-00-2034-1115) of the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol is hereby increased to \$875,181.

(e) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 175(c) of 2024 Senate Bill No. 28 on the scale replacement and rehabilitation and repair of buildings capital improvement account (280-00-2034-1115) of the Kansas highway patrol operations fund is hereby increased from \$575,181 to \$875,181.

(f) During the fiscal year ending June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the scale replacement and rehabilitation and repair of buildings capital improvement account (280-00-2034-1115) of the Kansas highway patrol operations fund as authorized by section 175(c) of 2024 Senate Bill No. 28, this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys in an amount of not exceed \$300,000 to conduct a comprehensive assessment concerning reconfiguration of Kansas highway patrol assets in Salina, including, but not limited to, a contemporary training center, dispatch center and troop C headquarters: *Provided*, That the above agency shall submit a report on the findings of such assessment, including, but not limited to, site selection, design, construction and associated costs, to the house of representatives committee on appropriations, the senate committee on ways and means and the joint committee on state building construction on or before January 13, 2025.

Sec. 61.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Lease space Wichita state university campus.....	\$2,031,450
Operating expenditures (083-00-1000-0083).....	\$48,621

Sec. 62.

EMERGENCY MEDICAL SERVICES BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 128(a) of 2024 Senate Bill No. 28 for the emergency medical services operating fund (206-00-2326-4000) of the emergency medical services board is hereby increased from \$2,029,012 to \$2,249,936.

Sec. 63.

KANSAS DEPARTMENT OF AGRICULTURE

(a) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 2-1907c, and amendments thereto, or any other statute, in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2025 by section 134 of 2024 Senate Bill No. 28, this or other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency for fiscal year 2025 to provide disbursements from the division of conservation to conservation districts that have submitted the amount of money allocated by county commissioners to such conservation district by November 1, 2023: *Provided further*, That such disbursements from the division of conservation to each conservation district shall be made on a \$2 division of conservation moneys basis

to a \$1 county moneys basis to match the funds allocated by the commissioners of each county to each conservation district: *And provided further*, That the division of conservation shall submit an expenditure request to the secretary of agriculture for an amount not less than the sum of such certified allocations of each county to each conservation district, but in no event shall such request exceed the sum of \$50,000 per conservation district: *And provided further*, That the amounts disbursed by the division of conservation to each conservation district based on the matching formula provided by this subsection shall be made as soon as practicable after July 1, 2024, and such disbursements to each conservation district shall not exceed \$50,000 per conservation district: *Provided, however*, That the disbursement of moneys provided for in this subsection shall be prorated in proportion to county allocations to each conservation district in the event that the secretary of agriculture determines that appropriations are insufficient for the complete matching of funds.

Sec. 64.

KANSAS DEPARTMENT OF AGRICULTURE

(a) During the fiscal year ending June 30, 2026, notwithstanding the provisions of K.S.A. 2-1907c, and amendments thereto, or any other statute, in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2026 by this or other appropriation act of the 2024 or 2025 regular session of the legislature, expenditures shall be made by the above agency for fiscal year 2026 to provide disbursements to conservation districts on a \$2 division of conservation moneys basis to a \$1 county moneys basis to match the funds allocated by the commissioners of each county to each conservation district: *Provided*, That on or before November 1, 2024, conservation districts shall submit to the division of conservation a certification of the amount of money allocated by county commissioners for conservation district activities for the ensuing calendar year: *Provided further*, That the division of conservation shall submit an expenditure request to the secretary of agriculture for an amount not less than the sum of such certified allocations of each county to each conservation district, but in no event shall such request exceed the sum of \$50,000 per conservation district: *And provided further*, That the amounts disbursed by the division of conservation to each conservation district based on the matching formula provided by this subsection shall be made as soon as practicable after July 1, 2025, and such disbursements to each conservation district shall not exceed \$50,000 per conservation district: *Provided, however*, That the disbursement of moneys provided for in this subsection shall be prorated in proportion to county allocations to each conservation district in the event that the secretary of agriculture determines that appropriations are insufficient for the complete matching of funds.

Sec. 65.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas air service development incentive program fund.....No limit

Provided, That all expenditures from the Kansas air service development incentive program fund shall be to support commercial service airports in Kansas: *Provided*

further, That the Kansas department of transportation shall establish requirements for the program, taking into consideration: (1) Recent or imminent regional economic development opportunities, including, but not limited to, new business entering the market area or business growth in the market area; (2) viable air service opportunities, including, but not limited to, airline support service or market data support service; (3) air service routes serving a market area that meets the needs of such economic development opportunities, including, but not limited to, routes establishing a pipeline to areas with workforce talent or serving a customer base or main business function; and (4) local match requirements, including, but not limited to, opportunities to use state or local moneys to leverage federal air service development grant funds: *And provided further*, That local entities representing commercial service airports may apply for grants from such fund: *And provided further*, That the Kansas department of transportation shall form a selection committee to evaluate such applications: *And provided further*, That not more than \$1,000,000 shall be awarded for a single commercial service airport: *And provided further*, That all grant moneys awarded to a local entity shall be deposited in an interest-bearing escrow account: *And provided further*, That, when awarded a grant, such local entity shall execute a minimum revenue guarantee (MRG) agreement with an airline: *And provided further*, That such MRG agreement shall describe the thresholds that trigger drawdowns of grant moneys: *And provided further*, That the Kansas department of transportation shall verify all expenses before authorizing any drawdown of grant moneys from such escrow account.

(b) On July 1, 2024, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund (276-00-4100-4100) to the Kansas air service development incentive program fund.

(c) On July 1, 2024, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 142(b) of 2024 Senate Bill No. 28 on the agency operations account (276-00-4100-0403) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$334,537,478 to \$334,568,918.

Sec. 66. K.S.A. 2023 Supp. 82a-955, as amended by section 193 of 2024 Senate Bill No. 28, is hereby amended to read as follows: 82a-955. (a) On July 1, 2024, the director of accounts and reports shall transfer \$45,000,000 from the state general fund to the state water plan fund and July 1, 2025, the director of accounts and reports shall transfer \$35,000,000 from the state general fund to the state water plan fund. It is the intent of the legislature to provide for the transfer of \$35,000,000 from the state general fund to the state water plan fund on July 1, 2026, and July 1, 2027.

(b) (1) Except as provided in paragraph (2), the state water plan fund shall continue to be appropriated and expended for the purposes prescribed in K.S.A. 82a-951, and amendments thereto, except that if an appropriation is made for any fiscal year as intended in subsection (a), on July 1 of such fiscal year, or as soon thereafter on such dates as moneys are available:

(A) \$5,000,000 shall be transferred from the state water plan fund to the water technical assistance fund established in K.S.A. 2023 Supp. 82a-956, and amendments thereto; and

(B) \$12,000,000 shall be transferred from the state water plan fund to the water projects grant fund established in K.S.A. 2023 Supp. 82a-957, and amendments thereto.

(2) On July 1, 2024, the director of accounts and reports shall transfer \$7,500,000

from the state water plan fund to the water technical assistance fund and \$19,500,000 from the state water plan fund to the water projects grant fund.

(3) The provisions of this section shall expire on July 1, 2028. On July 1, 2028, the director of accounts and reports shall transfer all moneys in the water technical assistance fund and the water projects grant fund to the state water plan fund and all liabilities of the water technical assistance fund and the water projects grant fund shall be imposed upon the state water plan fund. On July 1, 2028, the water technical assistance fund and the water projects grant fund shall be abolished.

(c) (1) (A) Notwithstanding any restrictions in K.S.A. 82a-951, and amendments thereto, the Kansas water authority may recommend to the legislature the appropriation of up to 10% of the unencumbered balance of the state water plan fund to be used to supplement salaries of existing state agency full-time equivalent employees and for funding new full-time equivalent positions created to implement the state water plan. Moneys from such appropriation may be used to supplement existing positions, but such moneys shall not be used to replace state general fund moneys, any fee fund moneys or other funding for positions existing on July 1, 2023.

(B) Eligible full-time equivalent positions that moneys may be used for pursuant to this paragraph include engineers, geologists, hydrologists, environmental scientists, attorneys, resource planners, grant specialists and any other similar positions.

(2) If at least two conservation districts present a joint proposal to the Kansas water authority for a position or positions to provide shared services to all districts involved in such proposal, the Kansas water authority may recommend that moneys be used to supplement the salary or salaries of such position or positions pursuant to paragraph (1).

(3) The Kansas water authority shall encourage funding requests from state and local entities that cooperate with qualified nonprofit entities on projects that provide a direct benefit to water quantity and quality, including water infrastructures that are both natural and constructed, and include matching funds from non-state sources.

(4) The Kansas water authority may direct the Kansas water office to provide funding pursuant to K.S.A. 2023 Supp. 82a-956 or 82a-957, and amendments thereto, for the improvement of water infrastructure in an unincorporated area related to or serving a national park site or state historic site if the request for funding is made by a nonprofit organization or state agency that is willing to administer the moneys and oversee the project, and the Kansas water authority deems such applicant capable of successfully managing the project. Upon receipt of such a request, the Kansas water office may award moneys in any fiscal year prior to July 1, 2028, with such awarding of moneys to be made at the discretion of the Kansas water office.

(5) The Kansas water authority shall encourage the creation of grant programs for stockwatering conservation projects. Such grant programs shall prioritize the use of fees collected pursuant to K.S.A. 82a-954(a)(3), and amendments thereto.

(d) All reporting requirements established in K.S.A. 82a-951, and amendments thereto, shall continue and such reporting requirements shall apply to the water technical assistance fund established in K.S.A. 2023 Supp. 82a-956, and amendments thereto, and the water projects grant fund established in K.S.A. 2023 Supp. 82a-957, and amendments thereto.

Sec. 67. *Severability.* If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid

provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 68. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any of such funds.

Sec. 69. If any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical accounting code.

Sec. 70. K.S.A. 2023 Supp. 82a-955, as amended by section 193 of 2024 Senate Bill No. 28, is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in line 1, by striking all after "ACT"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting "making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2023 Supp. 82a-955, as amended by section 193 of 2024 Senate Bill No. 28, and repealing the existing section";

And your committee on conference recommends the adoption of this report.

RICK BILLINGER

JR CLAEYS

PAT PETTY

Conferees on part of Senate

TROY WAYMASTER

KYLE HOFFMAN

HENRY HELGERSON

Conferees on part of House

Senator Billinger moved the Senate adopt the Conference Committee Report on **HB 2551**.

On roll call, the vote was: Yeas 22; Nays 12; Present and Passing 3; Absent or Not Voting 3.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Fagg, Faust-Goudeau, Gossage, Haley, Kerschen, Kloos, Masterson, McGinn, Petersen, Pettey, Pittman, Reddi, Ryckman, Thompson, Ware, Wilborn.

Nays: Blasi, Doll, Erickson, Holland, O'Shea, Peck, Pyle, Shallenburger, Steffen, Straub, Sykes, Tyson.

Present and Passing: Baumgardner, Francisco, Warren.

Absent or Not Voting: Holscher, Longbine, Olson.
The Conference Committee Report was adopted.

CHANGE OF CONFERENCE

Senators Tyson, Peck, and Holland are appointed to replace Senators Longbine, Fagg, and Pittman as members of the conference committee on **H Sub SB 37**.

Senators Baumgardner, Erickson, and Sykes are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **SB 339**.

ACTION ON VETO MESSAGE

The Governor's objection to **HB 2098** having been read April 29, 2024 in a message from the House, Senator Tyson motioned that **HB 2098** be passed notwithstanding the Governor's veto.

HB 2098 AN ACT concerning sales and compensating use tax; relating to motor vehicles; providing for a deduction for calculating tax owed when selling a motor vehicle that is purchased within 120 days of the sale of another vehicle; providing an exemption for certain purchases by disabled veterans of the armed forces of the United States; excluding manufacturers' coupons from the sales or selling price; providing exemptions for custom meat processing services, purchases for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf, certain purchases by doorstep inc., exploration place, inc., Kansas children's discovery center, inc. and the Kansas fairgrounds foundation; providing for a sales tax exemption for sales of property and services used in the provision of communications services; amending K.S.A. 12-199 and K.S.A. 2023 Supp. 79-3602 and 79-3606 and repealing the existing sections; also repealing K.S.A. 2023 Supp. 79-3602c.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Steffen.

Absent or Not Voting: Holscher, Longbine.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

VETO SUSTAINED

The Governor's objection to **SB 434** having been read April 29, 2024, AN ACT concerning public health; relating to the practice of cosmetology; exempting the practice of hair removal by sugaring from the definition of cosmetology; amending K.S.A. 2023 Supp. 65-1901 and 65-1928 and repealing the existing sections..

President Masterson announced the time had arrived for reconsideration of the veto on **SB 434**. No motion having been offered to reconsider, the President announced the Governor's veto on **SB 434** was sustained

REPORT ON ENROLLED BILLS AND RESOLUTIONS

H Sub Sub SB 232, SB 500 reported correctly enrolled, properly signed and presented to the Governor on April 30, 2024.

SR 1756, SR 1757, SR 1758, SR 1759 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 30, 2024.

TRIBUTES

The Committee on Organization, Calendar, and Rules authorizes the following tributes for the week of April 29 through April 30, 2024:

Senator Alley: extending official recognition to Barry Ward for his many contributions to music and his community;

Senator Bowers: congratulating Michelle Towery on being named the Kansas Secondary Teacher of the year, congratulating Ruder Oil on 40 Years in Business, congratulating W&S Ranch on being named a 2023 Master Farm Family of the Year, congratulating Conrad and Donna Trost on being named a 2023 Master Farm Family of the Year, congratulating Ken and Patricia Stielow on being named a 2023 Master Farm Family of the Year, congratulating Douglas and Stacey Keas on being named a 2023 Master Farm Family of the Year, extending official recognition to Jeff Smith on 20 years as a Republic County Deputy and EMT;

Senator Kerschen: congratulating Peyton Custer on her appointment to the United States Naval Academy;

Senator Reddi: congratulating James Stack on being named a Kansas State University distinguished professor, congratulating Traci Brimhall on being named a Kansas State University distinguished professor, congratulating Yoonseong Park on being named a Kansas State University distinguished professor;

Senator Steffen: congratulating the Hutchinson Community College Women's Basketball Team on winning the 2023-24 National Championship;

Senator Straub: congratulating the Barton Community College Men's Basketball Team on winning the 2023-24 National Championship; and

Senator Bowers and Senator Tyson: congratulating and commending the Glasco Locker Plant on its success at the KMPA Awards.

As provided by **HCR 5027**, Senator Alley moved the Senate adjourn Sine Die. The motion prevailed.

President Masterson there upon announced: "By virtue of the authority vested in me as President of the Senate, I now declare the 2024 Session of the Kansas Senate adjourned Sine Die."

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

MESSAGES FROM THE GOVERNOR

SB 27; H Sub SB 291, H Sub SB 318; SB 339, SB 414; H Sub SB 419 approved on May 9, 2024.

H Sub SB 287, H Sub SB 420; SB 500 approved on May 10, 2024.

REGARDING VETO OF HOUSE SUBSTITUTE FOR SENATE BILL 37

Kansans need responsible, comprehensive tax relief. As I said in my last veto statement of the Legislature's nearly identical tax bill, 'I cannot sign into law a bill that jeopardizes our state's future fiscal stability.

I have given the Legislature several roadmaps to fiscally responsible tax cuts since January. Instead, they played political games with reckless tax policies, and I vetoed them. I said irresponsible tax policies would lead to a special session.

So here we are. While I applaud the spirit of bipartisanship, this tax cut package, passed at the 11th hour of the last day of the Legislative session, misses the mark. Its proposed cuts and the excessive spending by the Legislature endanger all the progress we've made in restoring services for Kansans, funding our public schools, and investing in our infrastructure.

Additionally, to favor a specific business, a tax abatement scheme was floated to put taxpayer dollars into that business' pocket at the expense of local government services. That's wrong. Taxpayer dollars should not be diverted to political donors under the guise of tax cuts.

Kansans expect us to map a responsible future because we have come a long way, together. Our financial ratings have been upgraded. We have paid down debt. We paid \$224 million for new projects in cash, saving Kansans \$90 million in interest that would have otherwise accumulated through bonds. Education is being funded. We went from zero to a reasonable rainy-day fund for the inevitable emergencies we will face. Kansas is being noticed for its sense of responsibility. Don't toss all that.

The lack of a fiscally responsible tax cut bill jeopardizes other tax policy passed before adjournment, such as legislation to support Kansas' film and digital media industry. The Legislature cannot overpromise tax cuts without considering the overall cost to the state for future years. We cannot start with our expenses and then look at our income. Families and businesses do not budget like that; neither should Kansas.

Therefore, pursuant to Article 2, Section 14(a) of the Kansas Constitution, I hereby veto **House Substitute for Senate Bill 37, House Bill 2096, and House Bill 2097.**

LAURA KELLY, *Governor of Kansas*

Dated: May 16, 2024

The message was received on May 16, 2024. The veto message having been received after the Senate adjourned Sine Die, there was no opportunity to reconsider **H Sub SB 37.**

REGARDING VETO OF HOUSE SUBSTITUTE FOR SENATE BILL 172

While I agree that it is important for our state to implement stronger protections against foreign adversaries, this legislation contains multiple provisions that are likely unconstitutional and cause unintended consequences.

Many of the provisions in **House Substitute for Senate Bill 172** are overly broad

and not narrowly tailored to enhance our state's security while limiting the disruption of legitimate investment and business relationships. Additionally, the retroactive nature of this legislation raises further serious constitutional concerns. I am not willing to sign a bill that has the potential to hurt the state's future prosperity and economic development.

If the Legislature is serious about protecting Kansans from foreign adversaries, it should consider more narrow, forward-looking proposals that are focused on bad actors while ensuring legitimate business relationships with potential trading partners and small businesses are not impacted.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Substitute for Senate Bill 172**.

LAURA KELLY, *Governor of Kansas*

Dated: May 10, 2024

The message was received on May 10, 2024. The veto message having been received after the Senate adjourned Sine Die, there was no opportunity to reconsider **H Sub SB 172**.

REGARDING VETO OF HOUSE SUBSTITUTE FOR SUBSTITUTE FOR SENATE BILL 232

This divisive legislation has broad and sweeping implications that undermine the will of the majority of Kansans who voted overwhelmingly in 2022 to protect the constitutional rights of women to make decisions about pregnancy. This is another blatant attempt by extreme politicians in the Legislature to take more control over women and their families' personal, private medical decisions.

Kansans already made it very clear that they don't want lawmakers involved in personal matters. It's time we listen to them. As I have said before, I refuse to sign legislation that goes against the will of the majority of Kansans who voted on August 2, 2022.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Substitute for Substitute for Senate Bill 232**.

LAURA KELLY, *Governor of Kansas*

Dated: May 10, 2024

The message was received on May 10, 2024. The veto message having been received after the Senate adjourned Sine Die, there was no opportunity to reconsider **H Sub SB 232**.

REGARDING HOUSE SUBSTITUTE FOR SENATE BILL 387

It's always been my highest priority to ensure our students have the resources needed to be successful inside and outside the classroom and that we're preparing the next generation of Kansans to contribute to our growing economy and ever-changing workforce. For far too long, our state was failing at this endeavor because we failed to invest in our schools and students appropriately. Instead, students were subjected to four-day school weeks and crowded classrooms, preventing them from receiving the educational experience they deserved and are constitutionally entitled to.

Over the last six years, I've worked with the Legislature to fix a severely underfunded K-12 education system that lacked the resources needed to effectively prepare students for lifelong success. When I became Governor, my first order of business was to end the cycle of school finance litigation caused by years of underfunding. Reckless leadership and mismanagement of the state's finances made it impossible for the state to adequately fund our schools. Since then, we've seen how investment in our education system pays significant dividends for our entire state. Students now have more opportunities than ever to explore their educational and professional interests. Our commitment to fully funding public education better supports teachers, paraprofessionals, and administrators. More than anything, our increased investment has paid off as student test scores continue to increase across multiple measures.

House Substitute for Senate Bill 387 represents a continued commitment to our students and our schools. This bill fully funds public education for a sixth consecutive year, providing additional funding for the BASE State Aid in accordance with the *Gannon* mandate. Additionally, this bill provides \$75 million in new special education funding, enacting the first year of a phased-in approach for the state to meet its statutory obligation to fully fund special education. This funding will provide critical support to districts that have been shouldering the burden of the state's decade-long failure to meet its statutory obligation and ultimately its promise to the next generation of Kansans. With these additional funds, districts will be able to properly invest in special education educators and better support students with Individualized Education Plans. Investing in special education serves all students as it reduces the amount of general education funds that must be transferred to cover special education costs. This means districts can now consider increasing teacher salaries, expanding career and technical education opportunities, and supporting enhanced literacy instruction. While this funding is a critical first step, it is just a first step. We must continue to increase special education funding in future years. I appreciate the Legislature's willingness to collaborate on this funding increase and look forward to their continued commitment to our special education students and educators.

I am proud to sign **House Substitute for Senate Bill 387**, continuing my deep commitment to fully funding our schools and supporting our students. This bill exemplifies how, when we work together, we can find solutions that improve the experiences of Kansas students, invest in our educators, and benefit the entire state.

Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return **House Substitute for Senate Bill 387** with my signature approving the bill, except for the item enumerated below.

School Safety and Security Grants Proviso

The portion of Sec. 2(a) that reads as follows has been line-item vetoed:

Provided, That expenditures shall be made by the above agency from the school safety and security grants account for fiscal year 2025 for disbursements of grant moneys approved by the state board of education for the: (1) Acquisition of automated external defibrillators and routine maintenance of such devices; (2) purchase and installation of security cameras that are compatible with the firearm detection software specified in paragraph (3); and (3) notwithstanding the provisions of K.S.A. 72-1151, and amendments thereto, or any other statute, acquisition and implementation of firearm detection software that: (A) Can reduce the threat and impact of gun violence by

providing a firearm detection software solution that integrates into existing security camera systems; (B) is designated as qualified anti-terrorism technology under the federal SAFETY act, 6 U.S.C. § 441 et seq.; (C) complies with industry standard information security frameworks, including ISO 27001 and SOC 2 type 2; (D) is managed through a constantly monitored operations center that is staffed by highly trained analysts to ensure rapid communication of possible threats to end users; (E) is developed in the United States without the use of any third-party or open-source data; (F) is protected by an awarded patent that includes a training database populated with frames of actual videos of firearms that were taken in relevant environments across diverse industries; (G) is utilized in at least 30 states with customers in the public and private sectors; (H) does not store, monetize or collect any biometric data or personally identifiable information; and (I) is able to detect three broad firearm classifications with a minimum of 300 subclassifications and has the ability to detect at least 2,000 permutations: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2025 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the school district that may be used for such purpose: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-3739, and amendments thereto, or any other statute, not less than 30 days following the effective date of this act, the above agency shall publish a list of the entities that provide firearm detection software that meets the requirements of paragraph (3).

The provision included in this section would significantly alter the current School Safety and Security Grant program—which currently provides critical financial support to schools improving their physical safety and employing school resource officers—into a no-bid contract by inserting requirements that eliminate nearly all potential competition. If enacted, schools would not be able to use these funds to invest in other school safety efforts, like purchasing updated communications systems, hiring more security staff, and making investing in physical infrastructure. While the goal of this provision to provide schools with the opportunity to secure new weapon detection systems is laudable, districts should be provided with the flexibility to use these funds to address needs that are of utmost priority to student safety. Absent this provision being enacted into law, I urge the Kansas State Department of Education to allow these funds to be granted to districts for the purchase of automated external defibrillators and the other allowable uses that were previously approved for this program. We must continue to work together to ensure our students have a safe, conducive environment for their learning. To do that, we should not hamstring districts by limiting this funding opportunity to services provided by one company.

LAURA KELLY, *Governor of Kansas*

Dated: May 15, 2024

The message was received on May 15, 2024. The veto message having been received after the Senate adjourned Sine Die, there was no opportunity to reconsider the line-item vetoes on **H Sub SB 387**.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

2023 Annual Report, Kansas Judicial Branch

MESSAGES FROM THE HOUSE

The House adopts the Conference Committee report on **HB 2096**.

Announcing the House herewith transmits a veto message from the Governor on **HB 2614**, AN ACT concerning elections; relating to election crimes; requiring certain information be provided on advance voting ballot envelopes; directing county election officers to record the name of individuals returning advance voting ballots on behalf of another voter and the number of such ballots returned; requiring county election officers to file complaints if laws regulating the return of such ballots are violated; removing the requirement to provide the name of the treasurer of the sponsoring organization of a political advertisement; amending K.S.A. 25-1121, 25-1128, 25-2407 and 25-4156 and repealing the existing sections. Received on April, 19, 2024 and read on April 25, 2024.

“This bill is an attempt to disenfranchise Kansas voters by enacting burdensome and unnecessary requirements that are designed to restrict and suppress advanced voting. Kansans have a right to participate in our democracy, but time and again some politicians have tried to interfere in the voting process. I will continue to oppose efforts that place obstacles between voters casting their ballots and making their voices heard.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House **Bill 2614**.”

Dated: April 19, 2024

LAURA KELLY, *Governor of Kansas*

There being no motion to reconsider **HB 2614**, the Speaker ruled the veto sustained.

Announcing the House herewith transmits a veto message from the Governor on **HB 2446**, AN ACT concerning cities and counties; prohibiting the regulation of plastic and other containers designed for the consumption, transportation or protection of merchandise, food or beverages. Received on April 12, 2024 and read on April 25, 2024

“I believe in local control and that local officials should be held accountable by their constituents, stakeholders, and businesses. This bill lacks sufficient protection to ensure local units of government are able to play a meaningful role in decision making on issues impacting their communities.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2446**.”

Dated: April 12, 2024

LAURA KELLY, *Governor of Kansas*

There being no motion to reconsider **HB 2446**, the Speaker ruled the veto sustained.

Announcing the House herewith transmits a veto message from the Governor on **HB 2532**, AN ACT concerning gaming; relating to parimutuel racing; concerning distribution of the tax on amounts wagered on historic horse races; amending K.S.A. 2023 Supp. 74-8823 and repealing the existing section. Received on April, 19, 2024 and read on April 25, 2024.

“This bill would inadvertently cause a tax increase on the currently approved historical horse racing facility in Wichita. While I support the underlying goal of this legislation, I believe a trailer bill is necessary to ensure that this inadvertent tax increase does not occur.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2532**.”

Dated: April 19, 2024

LAURA KELLY, *Governor of Kansas*

There being no motion to reconsider **HB 2532**, the Speaker ruled the veto sustained.

Announcing the House receipt of a line-item veto message from the Governor on **HB 2551**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2023 Supp. 82a-955, as amended by section 193 of 2024 Senate Bill No. 28, and repealing the existing section. The message was received on May 16, 2024.

The House having adjourned Sine Die, there was no opportunity to reconsider **HB 2551** and the line item vetoes are sustained.

Announcing the House receipt of a veto message from the Governor on **HB 2096**, AN ACT concerning taxation; relating to income tax; establishing the veterans' valor property tax relief act and providing for an income tax credit or refund for eligible individuals; increasing the tax credit amount for household and dependent care expenses; modifying the definition of household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased property tax claims and citing the section as the homeowners' property tax freeze program; relating to property tax; providing a rebate for certain business property operated in competition with property owned or operated by a governmental entity; providing exemptions for certain personal property including watercraft, marine equipment, off-road vehicles, motorized bicycles and certain trailers; excluding internal revenue code section 1031 exchange transactions as indicators of fair market value; providing for certain exclusions from the prohibition of paying taxes under protest after a valuation notice appeal; providing four prior years' values on the annual valuation notice; amending K.S.A. 79-213, 79-503a, 79-32,111c and 79-5501 and K.S.A. 2023 Supp. 79-1460, 79-2005 and 79-4508a and repealing the existing sections. The message was received on May 16, 2024.

The House having adjourned Sine Die, there was no opportunity to reconsider **HB 2096** and the veto is sustained.

Announcing the House receipt of a veto message from the Governor on **HB 2097**, AN ACT concerning taxation; enacting the Kansas film and digital media production development act; establishing an income tax credit and sales tax exemption program to be administered by the secretary of commerce for the purpose of developing film, video or digital production in Kansas; relating to income, privilege and premium tax credits; establishing a tax credit for employers that employ members of the Kansas army and air national guard and establishing an income tax credit for employees who are members thereof; requiring notices to be sent to inform such members of possible eligibility for the tax credit; relating to sales tax; providing a sales tax exemption for purchases by certain not-for-profit community theaters and purchases and sales made by the friends of cedar crest association; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section. The message was received on May 16, 2024.

The House having adjourned Sine Die, there was no opportunity to reconsider

HB 2097 and the veto is sustained.

The House announces the following bills and concurrent resolutions are hereby transmitted to the Senate with final disposition:

Senate Bills that died in House Committees: **SB 5, SB 6, SB 23, SB 33, SB 40, SB 53; Sub SB 55; SB 59; Sub SB 60; SB 98, SB 112, SB 130, SB 147; Sub SB 155; SB 248, SB 252, SB 297, SB 301, SB 311, SB 314, SB 315, SB 363, SB 367, SB 371, SB 376, SB 386, SB 391, SB 417, SB 426, SB 457, SB 480, SB 482, SB 484, SB 488, SB 493, SB 498; Sub SB 514; SB 524, SB 532, SB 539, SB 544, SB 552, SB 553**

Senate Bills that died on House Calendar: **SB 34, SB 91; H Sub SB 127, H Sub SB 219; SB 265, SB 272, SB 347**

Senate Bills that died in Conference: **SB 14, SB 338, SB 340, SB 398, SB 406, SB 423**

Senate Bills stricken by House Rule 1507: **SB 162; Sub SB 190, Sub SB 352**

Senate Concurrent Resolutions that died in House Committees: **SCR 1611, SCR 1620**

REPORT ON ENROLLED BILLS AND RESOLUTIONS

H Sub SB 387 reported correctly enrolled, properly signed and presented to the Governor on May 6, 2024.

SB 27; H Sub SB 37, H Sub SB 172, H Sub SB 287, H Sub SB 291, H Sub SB 318; SB 339, SB 414; H Sub SB 419; H Sub SB 420 reported correctly enrolled, properly signed and presented to the Governor on May 7, 2024.

□

- S 1** Bill by Senator Steffen
Prohibiting internet social media terms of service that permit censorship of speech and making violations subject to civil fines under the Kansas consumer protection act.
 01/09/2023 Senate—Prefiled for Introduction on Tuesday, December 13, 2022
 01/09/2023 Senate—Introduced—SJ 2
 01/10/2023 Senate—Referred to Committee on Judiciary—SJ 10
 01/11/2023 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Federal and State Affairs—SJ 16
 04/30/2024 Senate—Died in Committee
- S 2** Bill by Senator Faust-Goudeau
Authorizing certain individuals with revoked driver’s licenses to be eligible for restricted driving privileges.
 01/09/2023 Senate—Prefiled for Introduction on Monday, December 19, 2022
 01/09/2023 Senate—Introduced—SJ 2
 01/10/2023 Senate—Referred to Committee on Transportation—SJ 10
 01/18/2023 Senate—Hearing: Tuesday, January 24, 2023, 8:30 AM Room 546-S
 02/02/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 65
 02/02/2023 Senate—Withdrawn from Calendar; Referred to Committee on Judiciary—SJ 65
 04/30/2024 Senate—Died in Committee
- S 4** Bill by Senator Fagg
Providing for a sales tax exemption for construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf.
 01/09/2023 Senate—Prefiled for Introduction on Tuesday, December 27, 2022
 01/09/2023 Senate—Introduced—SJ 2
 01/10/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 10
 01/11/2023 Senate—Hearing: Thursday, January 19, 2023, 9:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee
- S 5** Bill by Senator Steffen
Prohibiting the prescribing of drugs intended to cause an abortion using telemedicine and restricting the governor's power during a state of emergency to alter such prohibitions.
 01/09/2023 Senate—Prefiled for Introduction on Thursday, December 29, 2022
 01/09/2023 Senate—Introduced—SJ 2
 01/10/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 10
 02/23/2023 Senate—Hearing: Wednesday, February 15, 2023, 8:30 AM Room 142-S
 02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 135
 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
 02/23/2023 Senate—Final Action - Passed; Yea: 27 Nay: 12—SJ 160
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
 04/30/2024 House—Died in House Committee
- S 6** Bill by Senator Steffen
Restricting the authority of the secretary of health and environment and local health officers to prevent the introduction and spread of infectious or contagious diseases; repealing the authority of the secretary to quarantine individuals and impose associated penalties.
 01/09/2023 Senate—Prefiled for Introduction on Thursday, December 29, 2022

BILLS 2

01/09/2023 Senate—Introduced—SJ 2
01/10/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 10
02/08/2023 Senate—Hearing: Monday, February 13, 2023, 8:30 AM Room 142-S
02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 135
02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
02/23/2023 Senate—Final Action - Passed; Yea: 22 Nay: 18—SJ 161
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
04/30/2024 House—Died in House Committee

S 7 Bill by Senator Steffen
Reducing income tax rates for resident individuals domiciled in a rural equity decline county.

01/09/2023 Senate—Prefiled for Introduction on Tuesday, January 3, 2023
01/09/2023 Senate—Introduced—SJ 2
01/10/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 10
01/18/2023 Senate—Hearing: Wednesday, January 25, 2023, 9:30 AM Room 548-S
04/30/2024 Senate—Died in Committee

S 9 Bill by Senator Steffen
Adding tianeptine to schedule I of the uniform controlled substances act.

01/09/2023 Senate—Prefiled for Introduction on Tuesday, January 3, 2023
01/09/2023 Senate—Introduced—SJ 3
01/10/2023 Senate—Referred to Committee on Judiciary—SJ 10
04/30/2024 Senate—Died in Committee

S 10 Bill by Senator Hawk
Increasing the daily rate of compensation and eliminating the annualization of compensation in determining KPERS benefits and contributions for legislators first serving on or after January 13, 2025, and providing a compensation and KPERS benefits election for legislators with service prior to January 13, 2025.

01/09/2023 Senate—Prefiled for Introduction on Thursday, January 5, 2023
01/09/2023 Senate—Introduced—SJ 3
01/10/2023 Senate—Referred to Committee on Ways and Means—SJ 10
04/30/2024 Senate—Died in Committee

S 12 Bill by Senators Thompson, Steffen
Enacting the Kansas child mutilation prevention act to criminalize performing gender reassignment surgery or prescription of hormone replacement therapy on certain persons and providing grounds for unprofessional conduct for healing arts licensees.

01/09/2023 Senate—Prefiled for Introduction on Thursday, January 5, 2023
01/09/2023 Senate—Introduced—SJ 3
01/10/2023 Senate—Referred to Committee on Judiciary—SJ 10
01/11/2023 Senate—Withdrawn from Committee on Judiciary—SJ 16
01/11/2023 Senate—Referred separately to Committee on Public Health and Welfare and Committee on Judiciary—SJ 16
04/30/2024 Senate—Died in Committee

S 14 Bill by Financial Institutions and Insurance
Updating the version of risk-based capital instructions in effect.

01/10/2023 Senate—Introduced—SJ 9
01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ

01/18/2023 Senate—Hearing: Tuesday, January 24, 2023, 9:30 AM Room 546-S
 02/02/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 65
 02/09/2023 Senate—Committee of the Whole - Be passed—SJ 86
 02/09/2023 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 87
 02/10/2023 House—Received and Introduced—HJ 205
 02/13/2023 House—Referred to Committee on Insurance—HJ 207
 03/09/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 393
 03/16/2023 House—Committee of the Whole - Committee Report be adopted—HJ 435
 03/16/2023 House—Committee of the Whole - Be passed as amended—HJ 435
 03/16/2023 House—Emergency Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 435
 03/16/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 254
 03/21/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 467
 04/05/2023 Senate—Senator Thompson, Senator Kloos, and Senator Faust-Goudeau are appointed to replace Senator Longbine, Senator Fagg, and Senator Holscher on the Conference Committee—SJ 417
 04/05/2023 House—Representative Proctor, Representative Waggoner, and Representative Woodard are appointed to replace Representative Sutton, Representative Penn, and Representative Neighbor on the Conference Committee—HJ 633
 04/05/2023 House—Conference Committee Report agree to disagree adopted; Representative Proctor, Representative Waggoner and Representative Woodard appointed as second conferees—HJ 633
 04/05/2023 Senate—Conference Committee Report agree to disagree adopted; Senator Thompson, Senator Kloos and Senator Faust-Goudeau appointed as second conferees—SJ 453
 04/04/2024 House—Conference Committee Report was adopted; Yea: 73 Nay: 48—HJ 2504
 04/04/2024 Senate—Conference Committee Report not adopted; Yea: 20 Nay: 19—SJ 1885
 04/04/2024 Senate—Motion to reconsider previous action adopted.—SJ 1885
 04/04/2024 Senate—Conference Committee Report not adopted; Senator Thompson, Senator Kloos and Senator Faust-Goudeau appointed as third conferees—SJ 1885
 04/05/2024 House—Motion to accede adopted; Representative Proctor, Representative Waggoner and Representative Woodard appointed as third conferees—HJ 2684
 04/30/2024 Senate—Died in Conference

S 15 Bill by Financial Institutions and Insurance

Increasing the maximum amount of yearly income tax credits available for purchases under the disability employment act from qualified vendors, continuing in existence such credits beyond tax year 2023 of eligible purchases available for such credit and further defining qualifying vendors and employees eligible for the credit, establishing a grant program to facilitate transitions by employers to minimum wage employment for persons with disabilities and creating the Kansas sheltered workshop transition fund.

01/10/2023 Senate—Introduced—SJ 9
 01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 16
 01/18/2023 Senate—Hearing: Thursday, January 26, 2023, 9:30 AM Room 546-S
 02/02/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 65

BILLS 4

02/09/2023 Senate—Committee of the Whole - Be passed—SJ 86
02/09/2023 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 87
02/10/2023 House—Received and Introduced—HJ 205
02/13/2023 House—Referred to Committee on Insurance—HJ 207
03/09/2023 House—Committee Report recommending bill be passed as amended by
Committee on Insurance—HJ 393
03/23/2023 House—Committee of the Whole - Committee Report be adopted—HJ 493
03/23/2023 House—Committee of the Whole - Be passed as amended—HJ 493
03/23/2023 House—Emergency Final Action - Passed as amended; Yea: 104 Nay: 18—
HJ 494
03/23/2023 Senate—Nonconcurrent with amendments; Conference Committee requested;
appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—
SJ 289
03/27/2023 House—Motion to accede adopted; Representative Sutton, Representative
Penn and Representative Neighbor appointed as conferees—HJ 509
01/16/2024 House—Representative Smith, A., Representative Bergkamp, and
Representative Sawyer are appointed to replace Representative Sutton,
Representative Penn, and Representative Neighbor on the Conference
Committee—HJ 1599
01/16/2024 Senate—Senator Tyson, Senator Peck, and Senator Holland are appointed to
replace Senator Longbine, Senator Fagg, and Senator Holscher on the
Conference Committee—SJ 1393
01/17/2024 Senate—Senator Corson is appointed to replace Senator Holland on the
Conference Committee—SJ 1417
01/18/2024 House—Representative Tarwater, Representative Mason, and Representative
Probst are appointed to replace Representative Smith, A., Representative
Bergkamp, and Representative Sawyer on the Conference Committee—HJ 1634
01/31/2024 House—Conference Committee Report was adopted; Yea: 117 Nay: 1—HJ
1678
01/31/2024 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 0—SJ
1465
02/02/2024 Senate—Enrolled and presented to Governor on Friday, February 2, 2024—
SJ 1472
02/08/2024 Senate—Approved by Governor on Thursday, February 8, 2024—SJ 1488

S 16 Bill by Financial Institutions and Insurance

Discontinuing certain exemptions from the pharmacy benefits manager act.

01/10/2023 Senate—Introduced—SJ 9
01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ
16
04/30/2024 Senate—Died in Committee

S 18 Bill by Judiciary

Enacting the Kansas campus restoration act to address deferred maintenance and demolition of facilities at postsecondary educational institutions, establishing the Kansas campus restoration fund in the state treasury and authorizing certain transfers from the state general fund to such fund.

01/10/2023 Senate—Introduced—SJ 9
01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ
16
01/18/2023 Senate—Hearing: Tuesday, January 24, 2023, 9:30 AM Room 546-S
02/14/2023 Senate—Committee Report recommending bill be passed by Committee on
Financial Institutions and Insurance—SJ 98
02/15/2023 Senate—Committee of the Whole - Be passed—SJ 105
02/15/2023 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 106
02/16/2023 House—Received and Introduced—HJ 235
02/17/2023 House—Referred to Committee on Insurance—HJ 251

- 03/09/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 393
- 03/23/2023 House—Committee of the Whole - Committee Report be adopted—HJ 493
- 03/23/2023 House—Committee of the Whole - Be passed as amended—HJ 493
- 03/23/2023 House—Emergency Final Action - Passed as amended; Yea: 104 Nay: 18—HJ 494
- 03/23/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 289
- 03/27/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 509
- 04/02/2024 House—Representative Waymaster, Representative Hoffman, and Representative Helgeson are appointed to replace Representative Sutton, Representative Penn, and Representative Neighbor on the Conference Committee—HJ 2418
- 04/02/2024 Senate—Senator Billinger, Senator Claeys, and Senator Pettey are appointed to replace Senator Longbine, Senator Fagg, and Senator Holscher on the Conference Committee—SJ 1848
- 04/04/2024 House—Conference Committee Report was adopted; Yea: 86 Nay: 37—HJ 2458
- 04/04/2024 Senate—Conference Committee Report was adopted; Yea: 32 Nay: 7—SJ 1888
- 04/25/2024 Senate—Enrolled and presented to Governor on Friday, April 12, 2024
- 04/25/2024 Senate—Approved by Governor on Monday, April 22, 2024

S 19

Bill by Financial Institutions and Insurance

Establishing the Kansas national guard educational master's for enhanced readiness and global excellence (EMERGE) program and the EMERGE program repayment fund and requiring school districts to establish requirements for cardiac emergency response plans.

- 01/10/2023 Senate—Introduced—SJ 9
- 01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 16
- 01/18/2023 Senate—Hearing: Thursday, January 26, 2023, 9:30 AM Room 546-S
- 02/02/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 65
- 02/09/2023 Senate—Committee of the Whole - Be passed—SJ 86
- 02/09/2023 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 88
- 02/10/2023 House—Received and Introduced—HJ 205
- 02/13/2023 House—Referred to Committee on Insurance—HJ 207
- 03/09/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 393
- 03/16/2023 House—Committee of the Whole - Committee Report be adopted—HJ 435
- 03/16/2023 House—Committee of the Whole - Be passed as amended—HJ 435
- 03/16/2023 House—Emergency Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 436
- 03/16/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 254
- 03/21/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 467
- 04/04/2024 House—Representative Thomas, Representative Estes, and Representative Stogsdill are appointed to replace Representative Sutton, Representative Penn, and Representative Neighbor on the Conference Committee—HJ 2486
- 04/04/2024 Senate—Senator Erickson, Senator Dietrich, and Senator Sykes are appointed to replace Senator Longbine, Senator Fagg, and Senator Holscher on the Conference Committee—SJ 2054
- 04/05/2024 House—Conference Committee Report was adopted; Yea: 119 Nay: 3—HJ

BILLS 6

2734

04/05/2024 Senate—Conference Committee Report was adopted; Yea: 26 Nay: 2—SJ 2063

04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024

04/25/2024 Senate—Approved by Governor on Tuesday, April 23, 2024

S 20

Bill by Senators Steffen, Thompson

Requiring child care facilities, elementary, secondary, postsecondary educational institutions and employers to grant exemptions from vaccine requirements without inquiring into the sincerity of the request and repealing the meningitis vaccine requirement to live in student housing.

01/10/2023 Senate—Introduced—SJ 10

01/11/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 16

02/23/2023 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 198

03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 203

04/30/2024 Senate—Died in Committee

S 21

Bill by Assessment and Taxation

Providing an annual sales tax holiday for sales of certain school supplies.

01/10/2023 Senate—Introduced—SJ 10

01/11/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 16

01/11/2023 Senate—Hearing: Thursday, January 19, 2023, 9:30 AM Room 548-S

04/30/2024 Senate—Died in Committee

S 22

Bill by Assessment and Taxation

Providing a sales tax exemption for certain purchases and sales by the Johnson county Christmas bureau association.

01/10/2023 Senate—Introduced—SJ 10

01/11/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 16

01/18/2023 Senate—Hearing: Wednesday, January 25, 2023, 9:30 AM Room 548-S

04/30/2024 Senate—Died in Committee

S 23

Bill by Joint Committee on Pensions, Investments and Benefits

Eliminating the statutory 15% alternative investment limit for the KPERs fund and requiring the KPERs board to establish an alternative investment percentage limit.

01/11/2023 Senate—Introduced—SJ 15

01/12/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 20

01/25/2023 Senate—Hearing: Wednesday, February 1, 2023, 9:30 AM Room 546-S

02/02/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 65

02/15/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 105

02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198

03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203

03/29/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 386

02/15/2024 Senate—Committee of the Whole - Amendment by Senator Longbine was adopted—SJ 1513

02/15/2024 Senate—Committee of the Whole - Amendment by Senator Fagg was adopted—SJ 1518

02/15/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1513
 02/15/2024 Senate—Emergency Final Action - Passed as amended; Yea: 24 Nay: 13—SJ 1526
 02/22/2024 House—Received and Introduced—HJ 1850
 02/23/2024 House—Referred to Committee on Financial Institutions and Pensions—HJ 1868
 04/30/2024 House—Died in House Committee

S 27

Bill by Financial Institutions and Insurance

Reconciling multiple amendments to certain statutes.

01/11/2023 Senate—Introduced—SJ 15
 01/12/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 20
 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 9:30 AM Room 546-S
 02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 130
 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 137
 02/23/2023 Senate—Final Action - Passed; Yea: 38 Nay: 2—SJ 161
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Insurance—HJ 360
 03/09/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 394
 03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 527
 03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 527
 03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 118 Nay: 5—HJ 542
 03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 360
 03/29/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 588
 04/26/2024 Senate—Senator Billinger, Senator Claeys, and Senator Pettey are appointed to replace Senator Longbine, Senator Fagg, and Senator Holscher on the Conference Committee—SJ 2735
 04/26/2024 House—Representative Waymaster, Representative Hoffman, and Representative Helgeson are appointed to replace Representative Sutton, Representative Penn, and Representative Neighbor on the Conference Committee—HJ 3356
 04/30/2024 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —HJ 3577
 04/30/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
 04/30/2024 House—Conference Committee Report was adopted; Yea: 119 Nay: 0—HJ 3577
 04/30/2024 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 0
 04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, May 7, 2024
 04/30/2024 Senate—Approved by Governor on Thursday, May 9, 2024

S 28

Bill by Financial Institutions and Insurance

Making and concerning supplemental appropriations for fiscal years 2024 and 2025 and appropriations for fiscal years 2025, 2026, 2027 and 2028 for various state agencies.

01/11/2023 Senate—Introduced—SJ 15
 01/12/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 20
 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 9:30 AM Room 546-S
 02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 130

BILLS 8

- 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 137
02/23/2023 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 162
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Insurance—HJ 360
03/06/2023 House—Hearing: Wednesday, March 8, 2023, 3:30 PM Room 218-N
03/14/2023 House—Committee Report recommending bill be passed as amended by
Committee on Insurance—HJ 411
03/23/2023 House—Committee of the Whole - Committee Report be adopted—HJ 493
03/23/2023 House—Committee of the Whole - Be passed as amended—HJ 493
03/23/2023 House—Emergency Final Action - Passed as amended; Yea: 106 Nay: 16—
HJ 495
03/23/2023 Senate—Nonconcurrent with amendments; Conference Committee requested;
appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—
SJ 289
03/27/2023 House—Motion to accede adopted; Representative Sutton, Representative
Penn and Representative Neighbor appointed as conferees—HJ 509
03/19/2024 Senate—Senator Billinger, Senator Claeys, and Senator Pettey are appointed
to replace Senator Longbine, Senator Fagg, and Senator Holscher on the
Conference Committee—SJ 1732
03/20/2024 House—Representative Waymaster, Representative Hoffman, and
Representative Helgerson are appointed to replace Representative Sutton,
Representative Penn, and Representative Neighbor on the Conference
Committee—HJ 2259
04/05/2024 House—Conference Committee Report was adopted; Yea: 78 Nay: 44—HJ
2752
04/05/2024 Senate—Conference Committee Report was adopted; Yea: 26 Nay: 12—SJ
2357
04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024
04/25/2024 Senate—Approved by Governor except line item veto of 26(e), 29(b), 121(a)
(part), 31(d), 83(bb), 83(cc), 32(b) (part), 83(b) (part), 35(a), 35(d), 35(e), 36,
37, 38, 53(a) (part), 68(a) (part), 68(n), 69(d), 68(c) (part), 68(m), 83(a) (part),
83(w), 83(aa), 83(dd), 83(ee), 86(a) (part), 86(b) (part), 100(a) (part), 106(a)
(part), 112(a) (part), 116(a) (part), 116(h), 120(a) (part), 124 on Wednesday,
April 24, 2024
04/29/2024 Senate—Motion to override line item veto prevailed; Line item veto 29b,
120a, 121a overridden Yea: 28 Nay: 12—SJ 2753
04/29/2024 Senate—Motion to override line item veto prevailed; Line item veto 35a
overridden Yea: 28 Nay: 11—SJ 2754
04/29/2024 Senate—Motion to override line item veto prevailed; Line item veto 83dd,
83ee overridden Yea: 28 Nay: 12—SJ 2755
04/29/2024 Senate—Motion to override line item veto prevailed; Line item veto 112a,
116a overridden Yea: 27 Nay: 13—SJ 2755
04/29/2024 Senate—Motion to override line item veto failed; Line item veto 83aa
sustained Yea: 25 Nay: 15—SJ 2755
04/29/2024 House—Motion to override line item veto prevailed; Line item veto
29b,120a,121a overridden; Yea: 84 Nay: 41—HJ 3486
04/29/2024 House—Motion to override line item veto prevailed; Line item veto 35a
overridden; Yea: 86 Nay: 39—HJ 3487
04/29/2024 House—Motion to override line item veto prevailed; Line item veto
83dd,83ee overridden; Yea: 116 Nay: 9—HJ 3488
04/29/2024 House—Motion to override line item veto prevailed; Line item veto
112a,116a overridden; Yea: 97 Nay: 28—HJ 3489

S 29

Bill by Senators Peck, Bowers, Claeys, Doll, Faust-Goudeau, Petersen
**Providing a back-to-school sales tax holiday for sales of school supplies, computers
and clothing.**

01/11/2023 Senate—Introduced—SJ 15

01/12/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 20

01/18/2023 Senate—Hearing: Thursday, January 19, 2023, 9:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee

S 30 Bill by Assessment and Taxation
Increasing the Kansas standard deduction by a cost-of-living adjustment for income tax purposes.

01/11/2023 Senate—Introduced—SJ 16
 01/12/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 20
 01/18/2023 Senate—Hearing: Wednesday, January 25, 2023, 9:30 AM Room 548-S
 02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 80
 01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
 03/26/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation
 04/30/2024 Senate—Died on Calendar

S 31 Bill by Education
Reapportioning the districts of certain members of the Washburn university board of regents who are appointed by the city of Topeka.

01/12/2023 Senate—Introduced—SJ 20
 01/13/2023 Senate—Referred to Committee on Education—SJ 21
 04/30/2024 Senate—Died in Committee

S 32 Bill by Education
Authorizing the Kansas state high school activities association to establish a school classification system based on student attendance and other factors.

01/12/2023 Senate—Introduced—SJ 20
 01/13/2023 Senate—Referred to Committee on Education—SJ 21
 04/30/2024 Senate—Died in Committee

S 33 Bill by Assessment and Taxation
Exempting all social security benefits from Kansas income tax, providing income tax subtraction modifications for retirement plan amounts, federal work opportunity tax credit and employee retention credit disallowances and the carryforward of certain net operating losses, increasing the Kansas standard deduction by a cost-of-living adjustment and excluding social security payments from household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased homestead property tax refund claims.

01/12/2023 Senate—Introduced—SJ 20
 01/13/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 21
 02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 9:30 AM Room 548-S
 02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 80
 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Thompson was adopted Yea: 35 Nay: 2—SJ 184
 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 184
 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Holland was adopted—SJ 184
 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 186
 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 186
 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Francisco was

BILLS 10

rejected Yea: 12 Nay: 26—SJ 186
02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 186
02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 36 Nay: 3—SJ
192
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Taxation—HJ 360
03/08/2023 House—Hearing: Tuesday, March 14, 2023, 3:30 PM Room 346-S
04/30/2024 House—Died in House Committee

S 34 Bill by Federal and State Affairs

Expanding the use of bond proceeds under the Kansas rural housing incentive district act, the transferability of income, privilege and premium tax credits issued under the Kansas housing investor tax credit act and enacting the Kansas urban housing incentive district act.

01/17/2023 Senate—Introduced—SJ 23
01/18/2023 Senate—Referred to Committee on Commerce—SJ 27
01/18/2023 Senate—Withdrawn from Committee on Commerce; Referred to Committee on Financial Institutions and Insurance—SJ 27
02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 9:30 AM Room 546-S
02/14/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 98
02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
02/23/2023 Senate—Final Action - Passed; Yea: 30 Nay: 6—SJ 162
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Financial Institutions and Pensions—HJ
360
03/08/2023 House—Hearing: Wednesday, March 15, 2023, 9:00 AM Room 582-N
03/23/2023 House—Committee Report recommending bill be passed as amended by
Committee on Financial Institutions and Pensions—HJ 496
03/28/2023 House—Committee of the Whole - Passed over and retain a place on the
calendar—HJ 560
04/30/2024 House—Died on House Calendar

S 35 Bill by Federal and State Affairs

Increasing the rate of compensation for legislators for service during regular and special sessions and the interim period between regular sessions.

01/17/2023 Senate—Introduced—SJ 23
01/18/2023 Senate—Referred to Committee on Ways and Means—SJ 27
04/30/2024 Senate—Died in Committee

S 36 Bill by Federal and State Affairs

Amending the definition of ancestry in the Kansas act against discrimination to include traits historically associated with ancestry, including hair texture and protective hairstyles.

01/17/2023 Senate—Introduced—SJ 23
01/18/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 27
01/08/2024 Senate—Hearing: Thursday, January 11, 2024, 10:30 AM Room 144-S
04/30/2024 Senate—Died in Committee

S 37 Bill by Financial Institutions and Pensions

House Substitute for SB 37 by Committee on Financial Institutions and Pensions - Modifying income tax rates for individuals, exempting all social security benefits from Kansas income tax, increasing the Kansas standard deduction and the Kansas personal exemption, decreasing the privilege tax normal tax, establishing a 0% state rate for sales and use taxes for food and food ingredients on July 1, 2024, and modifying the percent credited to the state

highway fund, increasing the extent of property tax exemption for residential property from the statewide school levy, decreasing the rate of ad valorem tax imposed by a school district, abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund and providing for certain transfers to the state school district finance fund.

- 01/17/2023 Senate—Introduced—SJ 23
 01/18/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 27
 01/18/2023 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Financial Institutions and Insurance—SJ 27
 02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 9:30 AM Room 546-S
 02/14/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 99
 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 183
 02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 183
 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 4—SJ 193
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Financial Institutions and Pensions—HJ 360
 03/08/2023 House—Hearing: Wednesday, March 15, 2023, 9:00 AM Room 582-N
 03/14/2024 House—Committee Report recommending substitute bill be passed by Committee on Financial Institutions and Pensions—HJ 1955
 03/26/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2328
 03/26/2024 House—Committee of the Whole - Substitute bill be passed—HJ 2328
 03/27/2024 House—Final Action - Substitute passed; Yea: 85 Nay: 38—HJ 2366
 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Pittman as conferees—SJ 1841
 04/02/2024 House—Motion to accede adopted; Representative Hoheisel, Representative Clifford and Representative Xu appointed as conferees—HJ 2415
 04/29/2024 House—Representative Smith, A., Representative Bergkamp, and Representative Sawyer are appointed to replace Representative Hoheisel, Representative Clifford, and Representative Xu on the Conference Committee—HJ 3492
 04/30/2024 Senate—Senator Tyson, Senator Peck, and Senator Holland are appointed to replace Senator Longbine, Senator Fagg, and Senator Pittman on the Conference Committee
 04/30/2024 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —HJ 3517
 04/30/2024 House—Conference Committee Report agree to disagree adopted; Representative Smith, A., Representative Bergkamp and Representative Sawyer appointed as second conferees—HJ 3517
 04/30/2024 Senate—Conference Committee Report agree to disagree adopted; Senator Tyson, Senator Peck and Senator Holland appointed as second conferees
 04/30/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
 04/30/2024 House—Conference Committee Report was adopted; Yea: 108 Nay: 11—HJ 3666
 04/30/2024 Senate—Conference Committee Report was adopted; Yea: 25 Nay: 9
 04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, May 7, 2024
 04/30/2024 Senate—Vetoed by Governor; Returned to Senate on Thursday, May 16, 2024
 04/30/2024 Senate—No motion to reconsider vetoed bill; Veto sustained

S 38

Bill by Federal and State Affairs

Increasing the maximum compensation benefits payable by an employer for permanent total disability suffered by an injured employee.

- 01/17/2023 Senate—Introduced—SJ 23
 01/18/2023 Senate—Referred to Committee on Commerce—SJ 27

BILLS 12

03/27/2023 Senate—Hearing: Wednesday, March 29, 2023, 8:00 AM Room 546-S
04/30/2024 Senate—Died in Committee

S 40 Bill by Assessment and Taxation
Permitting the carryforward of certain net operating losses for individuals for Kansas income tax purposes and excluding social security payments from household income and increasing the appraised value and household income thresholds for eligibility of seniors and disabled veterans related to increased property tax homestead claims.

01/17/2023 Senate—Introduced—SJ 23
01/18/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 27
01/18/2023 Senate—Hearing: Thursday, January 26, 2023, 9:30 AM Room 548-S
02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 80
03/28/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 362
03/28/2023 Senate—Committee of the Whole - Be passed as amended—SJ 362
03/29/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 369
04/03/2023 House—Received and Introduced—HJ 594
04/04/2023 House—Referred to Committee on Taxation—HJ 610
01/17/2024 House—Hearing: Tuesday, January 23, 2024, 3:30 PM Room 346-S
04/30/2024 House—Died in House Committee

S 41 Bill by Assessment and Taxation
Providing a remittance credit to retailers for the collection of sales and compensating use tax.

01/17/2023 Senate—Introduced—SJ 24
01/18/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 27
01/18/2023 Senate—Hearing: Thursday, January 26, 2023, 9:30 AM Room 548-S
02/16/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 116
01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
01/25/2024 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 1444
04/30/2024 Senate—Died on Calendar

S 43 Bill by Public Health and Welfare
Making and concerning appropriations for the university of Kansas medical center for fiscal years 2023, 2024 and 2025 for conducting certain clinical trials at the midwest stem cell therapy center.

01/18/2023 Senate—Introduced—SJ 26
01/19/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 31
04/30/2024 Senate—Died in Committee

S 45 Bill by Ways and Means
Updating income eligibility requirements for the state children's health insurance program.

01/18/2023 Senate—Introduced—SJ 26
01/19/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 31
02/08/2023 Senate—Hearing: Monday, February 13, 2023, 8:30 AM Room 142-S
04/30/2024 Senate—Died in Committee

S 46 Bill by Utilities
Requiring existing wind energy conversion systems to install light-mitigating technology systems.

01/18/2023 Senate—Introduced—SJ 26
 01/19/2023 Senate—Hearing continuation: Thursday, January 26, 2023, 1:30 PM Room 548-S
 01/19/2023 Senate—Hearing: Wednesday, January 25, 2023, 1:30 PM Room 548-S
 01/19/2023 Senate—Referred to Committee on Utilities—SJ 31
 04/30/2024 Senate—Died in Committee

S 47 Bill by Commerce

Prohibiting cities and counties from regulating consumer merchandise and auxiliary containers for the consumption, transportation or protection of consumer merchandise.

01/18/2023 Senate—Introduced—SJ 26
 01/19/2023 Senate—Referred to Committee on Commerce—SJ 31
 01/25/2023 Senate—Hearing: Tuesday, January 31, 2023, 10:30 AM Room 546-S
 04/30/2024 Senate—Died in Committee

S 48 Bill by Education

Authorizing community college and technical college appointments to the postsecondary technical education authority and establishing the length of membership terms.

01/18/2023 Senate—Introduced—SJ 26
 01/19/2023 Senate—Referred to Committee on Education—SJ 31
 04/30/2024 Senate—Died in Committee

S 50 Bill by Senators Steffen, Straub, Thompson

Prohibiting internet social media terms of service that permit censorship of speech.

01/18/2023 Senate—Introduced—SJ 26
 01/19/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 31
 01/25/2023 Senate—Hearing: Wednesday, February 1, 2023, 10:30 AM Room 144-S
 02/13/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 94
 03/28/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 365
 03/28/2023 Senate—Committee of the Whole - Referred to Committee on Judiciary—SJ 365
 04/30/2024 Senate—Died in Committee

S 51 Bill by Financial Institutions and Insurance

Authorizing the state bank commissioner to accept state and national criminal history record checks from private entities.

01/18/2023 Senate—Introduced—SJ 26
 01/19/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 31
 02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 9:30 AM Room 546-S
 02/14/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 98
 02/16/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 114
 02/16/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 116
 02/20/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 121
 04/04/2023 Senate—Withdrawn from Calendar, Rereferred to Committee on Financial Institutions and Insurance—SJ 406
 04/30/2024 Senate—Died in Committee

BILLS 14

- S 52** Bill by Assessment and Taxation
Increasing the income limit for the exemption of social security benefits and exempting certain retirement plan income from Kansas income tax.
01/18/2023 Senate—Introduced—SJ 26
01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 9:30 AM Room 548-S
04/30/2024 Senate—Died in Committee
- S 53** Bill by Assessment and Taxation
Excluding manufacturers' coupons from the sales or selling price for sales tax purposes.
01/18/2023 Senate—Introduced—SJ 27
01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 9:30 AM Room 548-S
02/08/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 80
03/08/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 218
03/08/2023 Senate—Committee of the Whole - Be passed as amended—SJ 218
03/09/2023 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 221
03/13/2023 House—Received and Introduced—HJ 397
03/14/2023 House—Referred to Committee on Taxation—HJ 407
04/30/2024 House—Died in House Committee
- S 54** Bill by Assessment and Taxation
Expanding the eligible uses to qualify for the 0% state sales tax rate for certain utilities and providing for the levying of local sales tax on such sales by cities and counties.
01/18/2023 Senate—Introduced—SJ 27
01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
01/25/2023 Senate—Hearing: Wednesday, February 1, 2023, 9:30 AM Room 548-S
02/16/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 116
01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
02/09/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1491
04/30/2024 Senate—Died on Calendar
- S 55** Bill by Assessment and Taxation
Substitute for SB 55 by Committee on Assessment and Taxation - Expanding and clarifying the property tax exemption for Strother field airport property.
01/18/2023 Senate—Introduced—SJ 27
01/18/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 27
03/08/2023 Senate—Committee Report recommending substitute bill be passed by Committee on Assessment and Taxation—SJ 219
03/23/2023 Senate—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—SJ 289
03/23/2023 Senate—Committee of the Whole - Substitute bill be passed—SJ 289
03/27/2023 Senate—Final Action - Passed; Yea: 27 Nay: 11—SJ 322
03/28/2023 House—Received and Introduced—HJ 552
03/29/2023 House—Referred to Committee on Taxation—HJ 565
01/18/2024 House—Hearing: Wednesday, January 24, 2024, 3:30 PM Room 346-S
04/30/2024 House—Died in House Committee
- S 56** Bill by Assessment and Taxation
Increasing the income limit for the income tax subtraction modification for social

security income.

01/18/2023 Senate—Introduced—SJ 27
 01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
 04/30/2024 Senate—Died in Committee

- S 57** Bill by Assessment and Taxation
Establishing a 0% state rate for sales and use taxes for food and food ingredients, providing a sales tax exemption for children's diapers and feminine hygiene products, establishing the STAR bonds food sales tax revenue replacement fund and altering the calculation for STAR bond districts.
 01/18/2023 Senate—Introduced—SJ 27
 01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
 04/30/2024 Senate—Died in Committee
- S 58** Bill by Senators Peck, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Kloos, Pittman
Providing a sales tax exemption for certain purchases by disabled veterans.
 01/18/2023 Senate—Introduced—SJ 27
 01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
 03/01/2023 Senate—Hearing: Thursday, March 9, 2023, 9:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee
- S 59** Bill by Senators Faust-Goudeau, Haley
Designating "Martin Luther King, Jr. Day at the Capitol."
 01/18/2023 Senate—Introduced—SJ 27
 01/19/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 31
 02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 10:30 AM Room 144-S
 02/07/2023 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 73
 02/15/2023 Senate—Consent Calendar Passed Yea: 38 Nay: 0—SJ 106
 02/16/2023 House—Received and Introduced—HJ 235
 02/17/2023 House—Referred to Committee on Legislative Modernization—HJ 251
 04/30/2024 House—Died in House Committee
- S 60** Bill by Assessment and Taxation
Substitute for SB 60 by Committee on Assessment and Taxation - Providing sales tax exemptions for custom meat processing services, purchases for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf, certain purchases and sales by the Johnson county Christmas bureau association, certain purchases by doorstep inc., exploration place, inc. and Kansas children's discovery center, inc. and sales of menstrual discharge collection devices and diapers and establishing an annual sales tax holiday exempting certain sales of school supplies, computers and clothing.
 01/19/2023 Senate—Introduced—SJ 29
 01/20/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 36
 01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 9:30 AM Room 548-S
 02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 80
 03/28/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 365
 01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
 01/25/2024 Senate—Committee Report recommending substitute bill be passed by Committee on Assessment and Taxation—SJ 1444
 03/14/2024 Senate—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—SJ 1659

BILLS 16

03/14/2024 Senate—Committee of the Whole - Amendment by Senator Peck was adopted—SJ 1660
03/14/2024 Senate—Committee of the Whole - Amendment by Senator Faust-Goudeau was adopted—SJ 1664
03/14/2024 Senate—Committee of the Whole - Amendment by Senator Steffen was rejected—SJ 1666
03/14/2024 Senate—Committee of the Whole - Amendment by Senator Blasi was adopted—SJ 1665
03/14/2024 Senate—Committee of the Whole - Amendment by Senator Reddi was rejected—SJ 1666
03/14/2024 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1659
03/14/2024 Senate—Emergency Final Action - Substitute passed as amended; Yea: 38 Nay: 2—SJ 1707
03/18/2024 House—Received and Introduced—HJ 1961
03/19/2024 House—Referred to Committee on Taxation—HJ 1966
04/30/2024 House—Died in House Committee

S 61 Bill by Assessment and Taxation
Providing an income tax rate of 5% for individuals and corporations, decreasing the surtax for entities subject to the privilege tax and providing that future income tax rate decreases be contingent on exceeding revenue estimates.
01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 36
04/30/2024 Senate—Died in Committee

S 62 Bill by Financial Institutions and Insurance
Enacting the protect vulnerable adults from financial exploitation act, requiring reporting of instances of suspected financial exploitation under certain circumstances and providing civil and administrative immunity to individuals who make such reports.
01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 36
02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 9:30 AM Room 546-S
02/23/2023 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Ways and Means—SJ 198
03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Financial Institutions and Insurance—SJ 203
04/30/2024 Senate—Died in Committee

S 63 Bill by Senators Corson, Blasi, Claeys, O'Shea, Pittman, Straub
Expanding the scope of uses of campaign contributions to include family caregiving services.
01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Transparency and Ethics—SJ 36
02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 9:30 AM Room 142-S
02/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 125
02/23/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 191
02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
04/30/2024 Senate—Died on Calendar

- S 64** Bill by Senator Corson
Prohibiting certain statewide elected officials from receiving income from outside employment while holding such statewide office.
 01/19/2023 Senate—Introduced—SJ 30
 01/20/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 36
 04/30/2024 Senate—Died in Committee
- S 65** Bill by Federal and State Affairs
Authorizing cities and counties to enact local laws to regulate abortion as stringent as or more stringent than state law.
 01/19/2023 Senate—Introduced—SJ 30
 01/20/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 36
 04/30/2024 Senate—Died in Committee
- S 67** Bill by Ways and Means
Transferring \$1,000,000,000 from the state general fund to the budget stabilization fund of the department of administration during the fiscal year ending June 30, 2023.
 01/19/2023 Senate—Introduced—SJ 30
 01/20/2023 Senate—Referred to Committee on Ways and Means—SJ 36
 01/25/2023 Senate—Hearing: Tuesday, January 31, 2023, 10:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee
- S 68** Bill by Utilities
Providing incumbent electric transmission owners a right of first refusal for the construction of certain electric transmission lines.
 01/19/2023 Senate—Introduced—SJ 30
 01/20/2023 Senate—Referred to Committee on Utilities—SJ 36
 02/01/2023 Senate—Hearing: (proponents) Monday, February 6, 2023, 1:30 PM Room 548-S
 02/01/2023 Senate—Hearing: (opponents) Wednesday, February 8, 2023, 1:30 PM Room 548-S
 02/01/2023 Senate—Hearing: (neutral) Wednesday, February 8, 2023, 1:30 PM Room 548-S
 02/01/2023 Senate—Hearing: (proponents) Tuesday, February 7, 2023, 1:30 PM Room 548-S
 02/01/2023 Senate—Hearing: (neutral) Tuesday, February 7, 2023, 1:30 PM Room 548-S
 02/07/2023 Senate—Hearing: (opponents) Wednesday, February 8, 2023, 1:30 PM Room 548-S
 02/07/2023 Senate—Hearing: (opponents) Thursday, February 9, 2023, 1:30 PM Room 548-S
 02/07/2023 Senate—Hearing: (opponents) Friday, February 10, 2023, 1:30 PM Room 548-S
 02/07/2023 Senate—Hearing: (neutral) Thursday, February 9, 2023, 1:30 PM Room 548-S
 02/14/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 99
 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
 04/30/2024 Senate—Died on Calendar
- S 69** Bill by Senator Corson
Imposing requirements for reapportionment legislation.
 01/19/2023 Senate—Introduced—SJ 30

BILLS 18

01/20/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 36
04/30/2024 Senate—Died in Committee

S 70 Bill by Senator Corson

Enacting the making work pay act to increase the Kansas minimum wage.

01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Commerce—SJ 36
04/30/2024 Senate—Died in Committee

S 71 Bill by Senators Alley, Francisco

Requiring the secretary of agriculture to establish a division of sustainable agriculture that shall apply for federal grant funds under the greenhouse gas reduction fund to assist farmers in converting to renewable energy and sustainable agriculture practices.

01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 36
02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 8:30 AM Room 144-S
04/30/2024 Senate—Died in Committee

S 72 Bill by Judiciary

Adding an exception to the hearsay rule to allow admission of statements made to a translator without the testimony of the translator.

01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Judiciary—SJ 36
02/09/2023 Senate—Hearing: Thursday, February 9, 2023, 10:30 AM Room 346-S
04/30/2024 Senate—Died in Committee

S 73 Bill by Corrections and Juvenile Justice

House Substitute for SB 73 by Committee on Corrections and Juvenile Justice - Requiring school district enrollment to be determined using the current school year or preceding school year enrollment under the Kansas school equity and enhancement act.

01/19/2023 Senate—Introduced—SJ 31
01/20/2023 Senate—Referred to Committee on Judiciary—SJ 36
01/25/2023 Senate—Hearing: Tuesday, January 31, 2023, 10:30 AM Room 346-S
02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 80
02/14/2023 Senate—Committee of the Whole - Be passed—SJ 98
02/15/2023 Senate—Final Action - Passed; Yea: 38 Nay: 0—SJ 105
02/16/2023 House—Received and Introduced—HJ 235
02/17/2023 House—Referred to Committee on Corrections and Juvenile Justice—HJ 251
03/02/2023 House—Hearing: Tuesday, March 7, 2023, 1:30 PM Room 546-S
03/27/2023 House—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—HJ 510
03/28/2023 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 562
03/28/2023 House—Committee of the Whole - Substitute bill be passed—HJ 562
03/29/2023 House—Final Action - Substitute passed; Yea: 90 Nay: 34—HJ 577
04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 398
04/03/2023 House—Motion to accede adopted; Representative Owens, Representative Smith, E. and Representative Highberger appointed as conferees—HJ 603
03/28/2024 House—Representative Thomas, Representative Estes, and Representative Stogsdill are appointed to replace Representative Owens, Representative Smith,

E., and Representative Highberger on the Conference Committee—HJ 2399
 04/01/2024 Senate—Senator Baumgardner, Senator Erickson, and Senator Sykes are appointed to replace Senator Warren, Senator Wilborn, and Senator Corson on the Conference Committee—SJ 1842
 04/04/2024 House—Conference Committee Report was adopted; Yea: 120 Nay: 3—HJ 2478
 04/04/2024 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 4—SJ 1896
 04/25/2024 Senate—Enrolled and presented to Governor on Friday, April 12, 2024
 04/25/2024 Senate—Approved by Governor on Friday, April 19, 2024

- S 74** Bill by Judiciary
Providing for joint liability for costs and sanctions in third-party funded litigation, requiring certain discovery disclosures and requiring payment of certain costs for nonparty subpoenas.
 01/20/2023 Senate—Introduced—SJ 36
 01/23/2023 Senate—Referred to Committee on Judiciary—SJ 41
 01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 10:30 AM Room 346-S
 02/23/2023 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 198
 03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 203
 04/30/2024 Senate—Died in Committee
- S 76** Bill by Financial Institutions and Insurance
Providing for an exemption from continuing education licensure requirements for certain insurance producers.
 01/20/2023 Senate—Introduced—SJ 36
 01/23/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 41
 02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 9:30 AM Room 546-S
 04/30/2024 Senate—Died in Committee
- S 77** Bill by Federal and State Affairs
Authorizing the Kansas human rights commission or any city or county to remove an unlawful restrictive covenant by recording a redacted plat or declaration.
 01/23/2023 Senate—Introduced—SJ 39
 01/24/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 45
 04/30/2024 Senate—Died in Committee
- S 78** Bill by Utilities
Requiring the state corporation commission to review the regional rate competitiveness of an electric utility's rates in electric utility rate proceedings.
 01/23/2023 Senate—Introduced—SJ 39
 01/24/2023 Senate—Referred to Committee on Utilities—SJ 45
 04/30/2024 Senate—Died in Committee
- S 79** Bill by Assessment and Taxation
Authorizing counties to impose an earnings tax.
 01/23/2023 Senate—Introduced—SJ 39
 01/24/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 45
 02/17/2023 Senate—Hearing: Monday, February 20, 2023, 9:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee

BILLS 20

- S 80** Bill by Assessment and Taxation
Excluding social security payments from household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased property tax homestead claims.
01/23/2023 Senate—Introduced—SJ 39
01/24/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 45
01/25/2023 Senate—Hearing: Tuesday, January 31, 2023, 9:30 AM Room 548-S
02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 129
01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
04/30/2024 Senate—Died in Committee
- S 81** Bill by Assessment and Taxation
Providing a Kansas income tax subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances.
01/23/2023 Senate—Introduced—SJ 39
01/24/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 45
02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 9:30 AM Room 548-S
02/16/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 116
01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
04/30/2024 Senate—Died in Committee
- S 82** Bill by Education
Requiring schools to establish policies and concussion management teams to prevent and manage concussions within school.
01/23/2023 Senate—Introduced—SJ 39
01/24/2023 Senate—Referred to Committee on Education—SJ 45
01/27/2023 Senate—Hearing: Tuesday, January 31, 2023, 1:30 PM Room 144-S
02/22/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 154
02/23/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 191
01/10/2024 Senate—Motion to strike from Calendar adopted;—SJ 1384
- S 84** Bill by Education
Including individuals who receive a high school equivalency (HSE) credential in performance-based payments for certain postsecondary educational institutions.
01/23/2023 Senate—Introduced—SJ 39
01/24/2023 Senate—Referred to Committee on Education—SJ 45
04/30/2024 Senate—Died in Committee
- S 86** Bill by Local Government
Requiring local governmental officials to disclose substantial interests in the construction and operation of a wind or solar energy conversion system and to abstain from all local governmental actions relating to such matters.
01/23/2023 Senate—Introduced—SJ 40
01/24/2023 Senate—Referred to Committee on Local Government—SJ 45
04/30/2024 Senate—Died in Committee
- S 87** Bill by Senator Holland
Requiring a duly ordained minister of religion to report certain abuse and neglect of children.

01/24/2023 Senate—Introduced—SJ 43
 01/25/2023 Senate—Referred to Committee on Judiciary—SJ 47
 04/30/2024 Senate—Died in Committee

S 88

Bill by Utilities

Providing for the statewide election of commissioners of the state corporation commission, establishing the utilities regulation division in the office of the attorney general, requiring such division to represent and protect the collective interests of utility customers in utility rate-related proceedings and exempting the state corporation commission from the open meetings act.

01/24/2023 Senate—Introduced—SJ 43
 01/25/2023 Senate—Referred to Committee on Utilities—SJ 47
 02/08/2023 Senate—Hearing: Monday, February 13, 2023, 1:30 PM Room 548-S
 04/30/2024 Senate—Died in Committee

S 89

Bill by Senator Holscher

Providing for sales tax exemption for feminine hygiene products and diapers.

01/24/2023 Senate—Introduced—SJ 44
 01/25/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 47
 04/30/2024 Senate—Died in Committee

S 90

Bill by Transportation

Increasing certain registration and title fees on vehicles for services provided by county treasurers and the division of vehicles, decreasing certain fees related to administrative costs and modifying the disposition of such fees and eliminating the division of vehicles modernization surcharge.

01/24/2023 Senate—Introduced—SJ 44
 01/25/2023 Senate—Referred to Committee on Transportation—SJ 47
 02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 8:30 AM Room 546-S
 04/30/2024 Senate—Died in Committee

S 91

Bill by Commerce

Enacting the Kansas film and digital media industry production development act, providing a tax credit, sales tax exemption and loans and grants to incentivize film, video and digital media production in Kansas, establishing a program to be administered by the secretary of commerce for the purpose of developing such production in Kansas and requiring the secretary of commerce to issue reports on the economic impact of the act.

01/24/2023 Senate—Introduced—SJ 44
 01/25/2023 Senate—Referred to Committee on Commerce—SJ 47
 01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 10:30 AM Room 546-S
 02/17/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 117
 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 187
 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Baumgardner was adopted—SJ 187
 02/23/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 191
 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 28 Nay: 7—SJ 194
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Taxation—HJ 360
 03/08/2023 House—Hearing: Wednesday, March 15, 2023, 3:30 PM Room 346-S
 03/20/2023 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 461
 04/30/2024 House—Died on House Calendar

- S 92** Bill by Federal and State Affairs
Creating a procedure for appointment of delegates to a convention of the states under Article V of the Constitution of the United States and prescribing the duties and responsibilities of such delegates.
01/24/2023 Senate—Introduced—SJ 44
01/25/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 47
02/01/2023 Senate—Hearing: Thursday, February 9, 2023, 10:30 AM Room 144-S
02/13/2023 Senate—Hearing: Wednesday, February 15, 2023, 10:30 AM Room 144-S
04/30/2024 Senate—Died in Committee
- S 93** Bill by Federal and State Affairs
Creating the constitution and federalism defense act to establish a joint legislative commission to evaluate the constitutionality of federal mandates.
01/24/2023 Senate—Introduced—SJ 44
01/25/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 47
04/30/2024 Senate—Died in Committee
- S 94** Bill by Assessment and Taxation
Discontinuing state property tax levies for the Kansas educational building fund and the state institutions building fund and providing for financing therefor from the state general fund.
01/24/2023 Senate—Introduced—SJ 44
01/25/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 47
01/25/2023 Senate—Hearing: Wednesday, February 1, 2023, 9:30 AM Room 548-S
02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 80
01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
03/12/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1635
04/30/2024 Senate—Died on Calendar
- S 95** Bill by Federal and State Affairs
Permitting a prosecution for childhood sexual abuse to be commenced at any time, permitting victims of childhood sexual abuse to bring a civil action for recovery of damages caused by such abuse at any time and reviving claims against any party for such damages that occurred on or after July 1, 1984.
01/24/2023 Senate—Introduced—SJ 44
01/25/2023 Senate—Referred to Committee on Judiciary—SJ 47
04/30/2024 Senate—Died in Committee
- S 96** Bill by Commerce, Labor and Economic Development
House Substitute for House Substitute for SB 96 by Committee on Commerce, Labor and Economic Development - Establishing child care licensing requirements relating to license capacity and staff-to-child ratios, eliminating certain license fees and training requirements, creating a process for day care facility licensees to apply for temporary waiver of certain statutory requirements and authorizing the secretary to develop and operate pilot programs to increase child care facility availability or capacity, transferring certain child care programs to the Kansas office of early childhood and separating licensing duties between the secretary for health and environment and the executive director of early childhood.
01/24/2023 Senate—Introduced—SJ 45
01/25/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 47
01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 9:30 AM Room 548-S
02/16/2023 Senate—Committee Report recommending bill be passed by Committee on

Assessment and Taxation—SJ 116
 02/23/2023 Senate—Committee of the Whole - Be passed—SJ 171
 02/23/2023 Senate—Emergency Final Action - Passed; Yea: 28 Nay: 11—SJ 194
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
 03/21/2023 House—Hearing: Tuesday, March 21, 2023, 1:30 PM Room 112-N
 03/23/2023 House—Committee Report recommending substitute bill be passed by
 Committee on Health and Human Services—HJ 496
 02/15/2024 House—Withdrawn from Calendar; Referred to Committee on Commerce,
 Labor and Economic Development—HJ 1759
 03/08/2024 House—Hearing: Thursday, March 14, 2024, 1:30 PM Room 346-S
 03/26/2024 House—Committee Report recommending substitute bill be passed by
 Committee on Commerce, Labor and Economic Development—HJ 2299
 03/26/2024 House—Committee of the Whole - Passed over and retain a place on the
 calendar—HJ 2325
 03/27/2024 House—Committee of the Whole - Passed over and retain a place on the
 calendar—HJ 2375
 03/27/2024 House—Committee of the Whole - Committee Report be adopted
 recommending substitute bill be passed—HJ 2389
 03/27/2024 House—Committee of the Whole - Amendment by Representative Blew was
 adopted—HJ 2389
 03/27/2024 House—Committee of the Whole - Amendment by Representative Blew was
 adopted—HJ 2393
 03/27/2024 House—Committee of the Whole - Substitute bill be passed as amended—HJ
 2396
 03/27/2024 House—Emergency Final Action - Substitute passed as amended; Yea: 107
 Nay: 10—HJ 2396
 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested;
 appointed Senator Erickson, Senator Dietrich and Senator Reddi as conferees—
 SJ 1841
 04/01/2024 House—Motion to accede adopted; Representative Tarwater, Representative
 Blew and Representative Probst appointed as conferees—HJ 2406
 04/04/2024 House—Conference Committee Report was adopted; Yea: 110 Nay: 10—HJ
 2598
 04/30/2024 Senate—Died in Conference

S 97

Bill by Assessment and Taxation
**Increasing the extent of property tax exemption for residential property from the
 statewide school levy.**
 01/24/2023 Senate—Introduced—SJ 45
 01/25/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 47
 01/25/2023 Senate—Hearing: Wednesday, February 1, 2023, 9:30 AM Room 548-S
 02/20/2023 Senate—Committee Report recommending bill be passed by Committee on
 Assessment and Taxation—SJ 124
 01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment
 and Taxation—SJ 1382
 04/30/2024 Senate—Died in Committee

S 98

Bill by Education
**Authorizing medical student and residency loan assistance to encourage the practice
 of obstetrics and gynecology in medically underserved areas of the state.**
 01/24/2023 Senate—Introduced—SJ 45
 01/25/2023 Senate—Referred to Committee on Education—SJ 47
 02/16/2023 Senate—Hearing: Monday, February 20, 2023, 1:30 PM Room 144-S
 02/22/2023 Senate—Committee Report recommending bill be passed as amended by
 Committee on Education—SJ 155
 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 183

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02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 183
02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ
195
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
04/30/2024 House—Died in House Committee

S 99 Bill by Federal and State Affairs
Establishing the advisory commission on Asian-American Pacific Islander affairs.
01/25/2023 Senate—Introduced—SJ 46
01/26/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 51
04/30/2024 Senate—Died in Committee

S 100 Bill by Federal and State Affairs
Prohibiting ownership in certain real property in this state by foreign individuals and entities.
01/25/2023 Senate—Introduced—SJ 46
01/26/2023 Senate—Referred to Committee on Judiciary—SJ 51
04/30/2024 Senate—Died in Committee

S 101 Bill by Assessment and Taxation
Providing a sales tax exemption for area agencies on aging.
01/25/2023 Senate—Introduced—SJ 46
01/26/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 51
03/01/2023 Senate—Hearing: Thursday, March 9, 2023, 9:30 AM Room 548-S
04/30/2024 Senate—Died in Committee

S 102 Bill by Education
Establishing residency criteria for students of technical colleges.
01/25/2023 Senate—Introduced—SJ 46
01/26/2023 Senate—Referred to Committee on Education—SJ 51
02/09/2023 Senate—Hearing: Wednesday, February 15, 2023, 1:30 PM Room 144-S
04/30/2024 Senate—Died in Committee

S 103 Bill by Public Health and Welfare
Updating certain provisions of the Kansas dental practices act relating to dentist information requested by patients, in-person practice requirements in dental office using licensee's name, unprofessional conduct and patient complaints.
01/26/2023 Senate—Introduced—SJ 49
01/27/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 52
02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 8:30 AM Room 142-S
02/23/2023 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 198
03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 203
01/29/2024 Senate—Hearing: Thursday, February 1, 2024, 8:30 AM Room 142-S
02/15/2024 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 1529
04/30/2024 Senate—Died on Calendar

S 104 Bill by Financial Institutions and Insurance
Allowing a surcharge when purchases are made with a credit or debit card.
01/26/2023 Senate—Introduced—SJ 50
01/27/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ

52

02/01/2023 Senate—Hearing: Thursday, February 9, 2023, 9:30 AM Room 546-S
 02/21/2023 Senate—Committee Report recommending bill be passed as amended by
 Committee on Financial Institutions and Insurance—SJ 130
 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and
 Means—SJ 198
 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to
 Committee of the Whole—SJ 203
 04/30/2024 Senate—Died on Calendar

- S 105** Bill by Agriculture and Natural Resources
Authorizing the Kansas department of wildlife and parks to purchase land in Jewell county.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Agriculture and Natural Resources—SJ
 52
 04/30/2024 Senate—Died in Committee
- S 107** Bill by Federal and State Affairs
Providing that family members of deceased crime victims have the right to sit in a designated seating area at or near the prosecution table during court proceedings.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Judiciary—SJ 52
 04/30/2024 Senate—Died in Committee
- S 108** Bill by Senators Pittman, Kloos
Prohibiting motorcycle profiling by law enforcement agencies.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Judiciary—SJ 52
 04/30/2024 Senate—Died in Committee
- S 109** Bill by Education
Deeming certain refugees as residents of the state for the purposes of tuition and fees at postsecondary educational institutions.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Education—SJ 52
 04/30/2024 Senate—Died in Committee
- S 110** Bill by Senator Blasi
Exempting all social security benefits from Kansas income tax.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 52
 03/25/2024 Senate—Committee Report recommending bill be passed as amended by
 Committee on Assessment and Taxation
 03/26/2024 Senate—Motion to move the bill above the line for consideration failed to
 reach a 2/3 majority. Motion rejected. Yea: 19 Nay: 16—SJ 1793
 04/30/2024 Senate—Died on Calendar
- S 111** Bill by Public Health and Welfare
Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 52
 04/30/2024 Senate—Died in Committee

- S 112** Bill by Public Health and Welfare
Authorizing registered nurse anesthetists to engage in independent practice and prescribe drugs and prohibiting registered nurse anesthetists from performing or prescribing drugs to induce an abortion.
- 01/26/2023 Senate—Introduced—SJ 50
01/27/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 52
02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 8:30 AM Room 142-S
02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 135
02/23/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 170
02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
03/29/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 382
03/29/2023 Senate—Committee of the Whole - Be passed as amended—SJ 382
03/29/2023 Senate—Emergency Final Action - Passed as amended; Yea: 33 Nay: 6—SJ 387
04/03/2023 House—Received and Introduced—HJ 594
04/04/2023 House—Referred to Committee on Health and Human Services—HJ 610
04/30/2024 House—Died in House Committee

- S 115** Bill by Judiciary
Establishing the office of the child advocate as an independent state agency and prescribing certain powers, duties and functions thereof.
- 01/27/2023 Senate—Introduced—SJ 52
01/30/2023 Senate—Referred to Committee on Judiciary—SJ 54
02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 10:30 AM Room 346-S
02/15/2023 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 109
02/21/2023 Senate—Committee of the Whole - Be passed—SJ 129
02/22/2023 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 139
02/22/2023 House—Received and Introduced—HJ 301
02/23/2023 House—Referred to Committee on Child Welfare and Foster Care—HJ 308
03/08/2023 House—Hearing: Wednesday, March 15, 2023, 1:30 PM Room 152-S
03/21/2023 House—Committee Report recommending bill be passed as amended by Committee on Child Welfare and Foster Care—HJ 472
03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 531
03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 531
03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 120 Nay: 3—HJ 547
03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 361
03/29/2023 House—Motion to accede adopted; Representative Concannon, Representative Johnson and Representative Ousley appointed as conferees—HJ 589
04/04/2024 House—Conference Committee Report was adopted; Yea: 117 Nay: 3—HJ 2486
04/04/2024 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 3—SJ 1912
04/25/2024 Senate—Enrolled and presented to Governor on Friday, April 12, 2024
04/25/2024 Senate—Approved by Governor on Monday, April 22, 2024

- S 117** Bill by Federal and State Affairs
Authorizing the state historical society to convey certain real property to the

Shawnee Tribe.

01/30/2023 Senate—Introduced—SJ 54
 01/31/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 56
 04/30/2024 Senate—Died in Committee

- S 118** Bill by Federal and State Affairs
Expanding the duties of the secretary of health and environment when investigating maternal deaths to include promoting continuity of care, helping develop performance measures and establishing an external review committee to study cases and make recommendations to prevent maternal deaths.
 01/30/2023 Senate—Introduced—SJ 54
 01/31/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 56
 04/30/2024 Senate—Died in Committee
- S 121** Bill by Public Health and Welfare
Broadening the scope of practice of naturopathic doctors and changing certain provisions pertaining to the licensure and regulation of naturopathic doctors.
 01/31/2023 Senate—Introduced—SJ 56
 02/01/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 59
 04/30/2024 Senate—Died in Committee
- S 122** Bill by Education
Removing the sunset for the high-density at-risk student weighting under the Kansas school equity and enhancement act.
 01/31/2023 Senate—Introduced—SJ 56
 02/01/2023 Senate—Referred to Committee on Education—SJ 59
 04/30/2024 Senate—Died in Committee
- S 124** Bill by Senator Pittman
Allowing a Kansas itemized deduction for wagering losses for income tax purposes.
 01/31/2023 Senate—Introduced—SJ 56
 02/01/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 59
 04/30/2024 Senate—Died in Committee
- S 125** Bill by Assessment and Taxation
Allowing income tax net operating loss carryback from the sale of certain historic hotels.
 01/31/2023 Senate—Introduced—SJ 56
 02/01/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 59
 03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 9:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee
- S 126** Bill by Assessment and Taxation
Providing an individual income tax credit for certain residential solar and wind energy property expenditures, a subtraction modification to permit the carryforward of certain net operating losses for individuals and a subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances.
 01/31/2023 Senate—Introduced—SJ 56
 02/01/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 59
 02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 9:30 AM Room 548-S
 02/22/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 141
 01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment

and Taxation—SJ 1382
04/30/2024 Senate—Died in Committee

S 127 Bill by Taxation
House Substitute for SB 127 by Committee on Taxation - Reducing penalties for the late filing of or the failure to file property tax statements listing property for assessment and the discovery of escaped property and reporting changes after initial statement, decreasing the penalties for failing to timely remit withholding income taxes of employees by employers and providing a sales tax exemption for sales of property and services used in the provision of communications services.

01/31/2023 Senate—Introduced—SJ 56
02/01/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 59
02/22/2023 Senate—Hearing: Thursday, March 2, 2023, 9:30 AM Room 548-S
03/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 218
03/15/2023 Senate—Committee of the Whole - Be passed—SJ 238
03/15/2023 Senate—Emergency Final Action - Passed; Yea: 35 Nay: 1—SJ 238
03/16/2023 House—Received and Introduced—HJ 429
03/17/2023 House—Referred to Committee on Taxation—HJ 443
02/12/2024 House—Committee Report recommending substitute bill be passed by Committee on Taxation—HJ 1740
04/30/2024 House—Died on House Calendar

S 128 Bill by Senators Straub, Peck, Steffen, Thompson
Establishing the ad astra opportunity tax credit to provide an income tax credit for taxpayers with eligible dependent children not enrolled in public school.

01/31/2023 Senate—Introduced—SJ 56
02/01/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 59
02/01/2023 Senate—Hearing: Thursday, February 9, 2023, 9:30 AM Room 548-S
02/09/2023 Senate—Hearing continuation: Friday, February 10, 2023, 9:30 AM Room 548-S
02/10/2023 Senate—Hearing continuation: Monday, February 13, 2023, 9:30 AM Room 548-S
03/24/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 305
01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
04/30/2024 Senate—Died in Committee

S 129 Bill by Assessment and Taxation
Providing a sales tax exemption for purchases of personal property or services by doorstep, inc.

02/01/2023 Senate—Introduced—SJ 58
02/02/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 63
02/22/2023 Senate—Hearing: Wednesday, March 1, 2023, 9:30 AM Room 548-S
04/30/2024 Senate—Died in Committee

S 130 Bill by Assessment and Taxation
Requiring certain license plates to have the motor vehicle county of registration identified on the plate.

02/01/2023 Senate—Introduced—SJ 58
02/02/2023 Senate—Referred to Committee on Transportation—SJ 63
02/06/2023 Senate—Hearing: Thursday, February 9, 2023, 8:30 AM Room 546-S
02/14/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 99

02/15/2023 Senate—Committee of the Whole - Be passed as amended—SJ 105
 02/15/2023 Senate—Emergency Final Action - Passed as amended; Yea: 32 Nay: 4—SJ 107
 02/17/2023 House—Received and Introduced—HJ 251
 02/20/2023 House—Referred to Committee on Transportation—HJ 260
 03/08/2023 House—Hearing: Monday, March 13, 2023, 1:30 PM Room 582-N
 04/30/2024 House—Died in House Committee

- S 133** Bill by Federal and State Affairs
Providing for the enforcement of donor-imposed restrictions on philanthropic gifts of endowment funds or property to charitable organizations.
 02/01/2023 Senate—Introduced—SJ 58
 02/02/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 63
 02/15/2023 Senate—Hearing: Monday, February 20, 2023, 10:30 AM Room 144-S
 03/01/2023 Senate—Hearing: Friday, March 10, 2023, 10:30 AM Room 144-S
 04/30/2024 Senate—Died in Committee
- S 134** Bill by Federal and State Affairs
Adding members to the commission on peace officers' standards and training and requiring the new members to be appointed with a preference to increase diversity.
 02/01/2023 Senate—Introduced—SJ 58
 02/02/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 63
 04/30/2024 Senate—Died in Committee
- S 135** Bill by Federal and State Affairs
Creating the medical cannabis regulation act to regulate the cultivation, processing, distribution, sale and use of medical cannabis.
 02/01/2023 Senate—Introduced—SJ 58
 02/02/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 63
 03/08/2023 Senate—Hearing: Wednesday, March 15, 2023, 10:30 AM Room 144-S
 03/08/2023 Senate—Hearing: Thursday, March 16, 2023, 10:30 AM Room 144-S
 04/26/2024 Senate—Motion to withdraw from Committee on Federal and State Affairs and refer to General Orders failed. Yea: 12 Nay: 25—SJ 2675
 04/30/2024 Senate—Died in Committee
- S 136** Bill by Commerce
Providing a tax credit for the installation of certain water conservation systems in newly constructed houses.
 02/01/2023 Senate—Introduced—SJ 59
 02/02/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 63
 04/30/2024 Senate—Died in Committee
- S 137** Bill by Senator Holscher
Creating the responsible gun ownership act and establishing the crime of unlawful storage of a firearm.
 02/01/2023 Senate—Introduced—SJ 59
 02/02/2023 Senate—Referred to Committee on Judiciary—SJ 63
 04/30/2024 Senate—Died in Committee
- S 138** Bill by Assessment and Taxation
Expanding and clarifying the property tax exemption for Strother field airport property, increasing the extent of exemption for residential property from the statewide school levy, discontinuing the state tax levies for the Kansas educational building fund and the state institutions building fund and

providing financing therefor from the state general fund.

- 02/02/2023 Senate—Introduced—SJ 60
- 02/03/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 66
- 02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 9:30 AM Room 548-S
- 02/22/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 149
- 01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
- 04/30/2024 Senate—Died in Committee

S 139

Bill by Senators Sykes, Blasi

Expanding newborn screening services and increasing transfer from the medical assistance fee fund to the Kansas newborn screening fund.

- 02/02/2023 Senate—Introduced—SJ 60
- 02/03/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 66
- 02/23/2023 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 198
- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 203
- 04/30/2024 Senate—Died in Committee

S 140

Bill by Senators Pittman, Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Reddi, Sykes, Ware

Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.

- 02/02/2023 Senate—Introduced—SJ 60
- 02/03/2023 Senate—Referred to Committee on Commerce—SJ 66
- 04/30/2024 Senate—Died in Committee

S 141

Bill by Senator Holland

Requiring the attorney general to carry out certain duties related to investigating corruption committed by a public officer or public employee.

- 02/02/2023 Senate—Introduced—SJ 61
- 02/03/2023 Senate—Referred to Committee on Judiciary—SJ 66
- 04/30/2024 Senate—Died in Committee

S 142

Bill by Transportation

Requiring drivers to proceed with due caution when passing stationary vehicles displaying hazard warning lights and prohibiting the use of mobile telephones by individuals under 18 years of age and for everyone in school and construction zones and providing penalties thereof for violations.

- 02/02/2023 Senate—Introduced—SJ 61
- 02/03/2023 Senate—Referred to Committee on Transportation—SJ 66
- 01/17/2024 Senate—Hearing: Tuesday, January 23, 2024, 8:30 AM Room 546-S
- 01/25/2024 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 1444
- 02/15/2024 Senate—Committee of the Whole - Amendment by Senator Olson was rejected Yea: 18 Nay: 21—SJ 1524
- 02/15/2024 Senate—Committee of the Whole - Be passed—SJ 1513
- 02/15/2024 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 2—SJ 1527
- 02/19/2024 House—Received and Introduced—HJ 1779
- 02/20/2024 House—Referred to Committee on Transportation—HJ 1790
- 02/28/2024 House—Hearing: Thursday, March 7, 2024, 1:30 PM Room 582-N
- 03/18/2024 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 1962
- 03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2286

03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2286
 03/26/2024 House—Final Action - Passed as amended; Yea: 104 Nay: 18—HJ 2307
 03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Petersen, Senator Kloos and Senator Corson as conferees—SJ 1823
 04/01/2024 House—Motion to accede adopted; Representative Francis, Representative Neely and Representative Ballard appointed as conferees—HJ 2402
 04/03/2024 House—Conference Committee Report was adopted; Yea: 102 Nay: 18—HJ 2425
 04/03/2024 Senate—Conference Committee Report not adopted; Senator Petersen, Senator Kloos and Senator Corson appointed as second conferees
 04/03/2024 House—Motion to accede adopted; Representative Francis, Representative Neely and Representative Ballard appointed as second conferees—HJ 2434
 04/04/2024 House—Conference Committee Report was adopted; Yea: 98 Nay: 21—HJ 2571
 04/30/2024 Senate—Died in Conference

S 143

Bill by Commerce, Labor and Economic Development

House Substitute for SB 143 by Committee on Commerce, Labor and Economic Development - Updating elevator safety act provisions concerning the definition of elevator, mechanic and contractor employee licensing requirements, inspection, testing and accident reporting requirements and exceptions, permitting inspections by insurance companies and licensed elevator mechanics and establishing educational and testing options for elevator inspector licensing.

02/02/2023 Senate—Introduced—SJ 61
 02/03/2023 Senate—Referred to Committee on Transportation—SJ 66
 02/06/2023 Senate—Hearing: Wednesday, February 8, 2023, 8:30 AM Room 546-S
 02/09/2023 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 89
 02/15/2023 Senate—Consent Calendar Passed Yea: 38 Nay: 0—SJ 106
 02/16/2023 House—Received and Introduced—HJ 235
 02/17/2023 House—Referred to Committee on Transportation—HJ 251
 02/21/2023 House—Hearing: Thursday, March 2, 2023, 1:30 PM Room 582-N
 03/19/2024 House—Withdrawn from Committee on Transportation; Referred to Committee on Commerce, Labor and Economic Development—HJ 1966
 03/22/2024 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 2279
 03/25/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2298
 03/25/2024 House—Committee of the Whole - Substitute bill be passed—HJ 2298
 03/26/2024 House—Final Action - Substitute passed; Yea: 107 Nay: 15—HJ 2307
 03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Petersen, Senator Kloos and Senator Corson as conferees—SJ 1823
 04/01/2024 House—Motion to accede adopted; Representative Tarwater, Representative Borjon and Representative Probst appointed as conferees—HJ 2402
 04/02/2024 Senate—Senator Shallenburger is appointed to replace Senator Kloos on the Conference Committee—SJ 1848
 04/04/2024 House—Conference Committee Report was adopted; Yea: 118 Nay: 2—HJ 2678
 04/05/2024 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 1—SJ 2360
 04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024
 04/25/2024 Senate—Approved by Governor on Tuesday, April 23, 2024

BILLS 32

- S 145** Bill by Education
Requiring statutory due process procedures for a school district's non-renewal or termination of a teacher contract.
02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Education—SJ 66
04/30/2024 Senate—Died in Committee
- S 146** Bill by Senator Holland
Requiring the attorney general to carry out certain duties related to investigating sexual abuse committed by a minister of religion.
02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Judiciary—SJ 66
04/30/2024 Senate—Died in Committee
- S 147** Bill by Senator Blasi
Increasing the income tax credit amount for adoption expenses and making the credit refundable and increasing the income tax credit amount for household and dependent care expenses.
02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 66
02/22/2023 Senate—Hearing: Wednesday, March 1, 2023, 9:30 AM Room 548-S
03/16/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 255
03/27/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 324
03/27/2023 Senate—Committee of the Whole - Amendment by Senator Sykes was adopted—SJ 324
03/27/2023 Senate—Committee of the Whole - Amendment by Senator Holland was adopted—SJ 325
03/27/2023 Senate—Committee of the Whole - Amendment by Senator Pittman was adopted—SJ 325
03/27/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 325
03/28/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 345
03/29/2023 House—Received and Introduced—HJ 566
04/03/2023 House—Referred to Committee on Taxation—HJ 594
04/30/2024 House—Died in House Committee
- S 148** Bill by Public Health and Welfare
Enacting the ensuring transparency in prior authorization act to impose requirements and limitations on the use of prior authorization in healthcare.
02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 66
04/30/2024 Senate—Died in Committee
- S 149** Bill by Federal and State Affairs
Expanding the crime of promoting obscenity to minors to include drag performances.
02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Judiciary—SJ 66
04/30/2024 Senate—Died in Committee
- S 150** Bill by Ways and Means
Authorizing the division of printing to print for local governments and schools.
02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Local Government—SJ 66
04/30/2024 Senate—Died in Committee

- S 151** Bill by Ways and Means
Concerning state agencies; relating to the employee award and recognition program; authorizing hiring, recruitment and retention bonuses; increasing the limitation on such award or bonus to \$10,000; eliminating the secretary of administration's authority to adopt rules and regulations; and requiring such secretary to submit an annual report to certain legislative committees concerning such awards and bonuses.
 02/02/2023 Senate—Introduced—SJ 61
 02/03/2023 Senate—Referred to Committee on Ways and Means—SJ 66
 04/30/2024 Senate—Died in Committee
- S 152** Bill by Ways and Means
Concerning the salaries of the governor, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, justices of the supreme court, judges of the court of appeals and members of the governor's cabinet; establishing the rate of pay for such state officers based on the annual rate of pay for members of congress, as adjusted by the specific provisions of this act; and providing that all such rates of pay are subject to appropriations.
 02/02/2023 Senate—Introduced—SJ 62
 02/03/2023 Senate—Referred to Committee on Ways and Means—SJ 66
 04/03/2023 Senate—Hearing: Tuesday, April 4, 2023, 9:00 AM Room 548-S
 04/05/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 463
 01/10/2024 Senate—Motion to strike from Calendar adopted;—SJ 1384
- S 153** Bill by Ways and Means
Making and concerning supplemental appropriations for fiscal years 2023 and 2024 for various state agencies.
 02/02/2023 Senate—Introduced—SJ 62
 02/03/2023 Senate—Referred to Committee on Ways and Means—SJ 66
 02/22/2023 Senate—Hearing: Wednesday, March 1, 2023, 10:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee
- S 154** Bill by Senator Haley
Limiting the amount of fees, taxes and other charges on a utility bill assessed by a board of public utilities.
 02/02/2023 Senate—Introduced—SJ 62
 02/03/2023 Senate—Referred to Committee on Utilities—SJ 66
 04/30/2024 Senate—Died in Committee
- S 155** Bill by Ways and Means
Substitute for SB 155 by Committee on Ways and Means - Making and concerning appropriations for fiscal years 2023, 2024, 2025 and 2026 for various state agencies.
 02/02/2023 Senate—Introduced—SJ 62
 02/03/2023 Senate—Referred to Committee on Ways and Means—SJ 66
 02/22/2023 Senate—Hearing: Wednesday, March 1, 2023, 10:30 AM Room 548-S
 03/13/2023 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 229
 03/16/2023 Senate—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—SJ 244
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Blasi was adopted—SJ 244
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Pettey was rejected—SJ 245

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03/16/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 244
03/16/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was rejected—SJ 254
03/16/2023 Senate—Committee of the Whole - Amendment by Senator Reddi was rejected Yea: 11 Nay: 25—SJ 249
03/16/2023 Senate—Committee of the Whole - Amendment by Senator Pettey was adopted—SJ 252
03/16/2023 Senate—Committee of the Whole - Amendment by Senator Pittman was rejected Yea: 11 Nay: 22—SJ 252
03/16/2023 Senate—Committee of the Whole - Amendment by Senator Francisco was rejected—SJ 254
03/16/2023 Senate—Committee of the Whole - Amendment by Senator Holland was rejected—SJ 254
03/16/2023 Senate—Committee of the Whole - Amendment by Senator Pyle was rejected Yea: 9 Nay: 17—SJ 253
03/16/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted Yea: 17 Nay: 9—SJ 247
03/16/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 246
03/16/2023 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 249
03/21/2023 Senate—Final Action - Substitute passed as amended; Yea: 23 Nay: 12—SJ 267
03/23/2023 House—Received and Introduced—HJ 489
03/24/2023 House—Referred to Committee on Appropriations—HJ 505
01/17/2024 House—Hearing: Tuesday, January 23, 2024, 9:00 AM Room 112-N
04/30/2024 House—Died in House Committee

S 156 Bill by Federal and State Affairs
Repealing statutes that prohibit, limit and otherwise restrict municipal regulation of firearms.

02/02/2023 Senate—Introduced—SJ 62
02/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 66
04/30/2024 Senate—Died in Committee

S 157 Bill by Federal and State Affairs
Designating February 15 of each year as Susan B. Anthony Day in the state of Kansas.

02/02/2023 Senate—Introduced—SJ 62
02/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 66
04/30/2024 Senate—Died in Committee

S 158 Bill by Federal and State Affairs
Enacting the community defense and human trafficking reduction act to regulate sexually oriented businesses and human trafficking and to impose criminal penalties.

02/02/2023 Senate—Introduced—SJ 62
02/03/2023 Senate—Referred to Committee on Judiciary—SJ 66
04/30/2024 Senate—Died in Committee

S 159 Bill by Federal and State Affairs
Creating the Kansas rural grocery store development incentive act to provide tax incentives for the development of grocery businesses in rural areas of the state.

02/02/2023 Senate—Introduced—SJ 62

02/03/2023 Senate—Referred to Committee on Commerce—SJ 66
 04/30/2024 Senate—Died in Committee

- S 160** Bill by Federal and State Affairs
Require commercial entities that produce material harmful to minors on the internet to require age verification for access to such internet sites, establishing a civil cause of action against such commercial entities by persons harmed to recover actual and punitive damages, court costs and attorney fees.

02/02/2023 Senate—Introduced—SJ 62
 02/03/2023 Senate—Referred to Committee on Judiciary—SJ 66
 04/30/2024 Senate—Died in Committee

- S 161** Bill by Public Health and Welfare
Imposing certain health insurance coverage requirements for screening and diagnostic examinations for breast cancer.

02/02/2023 Senate—Introduced—SJ 63
 02/03/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 66
 04/30/2024 Senate—Died in Committee

- S 162** Bill by Local Government
Creating the Riley county unincorporated area nuisance abatement act and the Crawford county unincorporated area nuisance abatement act to establish procedures for the removal and abatement of nuisances in the unincorporated areas of such counties and the assessment of the costs for such abatement.

02/06/2023 Senate—Introduced—SJ 67
 02/07/2023 Senate—Referred to Committee on Local Government—SJ 72
 02/13/2023 Senate—Hearing: Tuesday, February 14, 2023, 9:30 AM Room 142-S
 02/13/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Local Government—SJ 1501
 02/21/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1556
 02/21/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1556
 02/22/2024 Senate—Final Action - Passed as amended; Yea: 34 Nay: 5—SJ 1580
 02/28/2024 House—Received and Introduced—HJ 1871
 02/29/2024 House—Referred to Committee on Local Government—HJ 1874
 03/06/2024 House—Hearing: Monday, March 11, 2024, 9:00 AM Room 281-N
 03/13/2024 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 1938
 03/28/2024 House—Stricken from Calendar by Rule 1507—HJ 2399

- S 163** Bill by Local Government
Creating the Dwayne Peaslee technical training center district act to authorize the establishment of the Dwayne Peaslee technical training center district in Douglas county.

02/06/2023 Senate—Introduced—SJ 67
 02/07/2023 Senate—Referred to Committee on Local Government—SJ 72
 02/13/2023 Senate—Hearing: Tuesday, February 14, 2023, 9:30 AM Room 142-S
 02/16/2023 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 116
 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
 01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 1382

04/30/2024 Senate—Died in Committee

S 164 Bill by Commerce
Providing a \$2,000 tax credit for qualified employees of licensed child care facilities.
02/06/2023 Senate—Introduced—SJ 67
02/07/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 72
02/22/2023 Senate—Hearing: Wednesday, March 1, 2023, 9:30 AM Room 548-S
04/30/2024 Senate—Died in Committee

S 165 Bill by Commerce
Permitting workers compensation benefits for first responders who suffer from post-traumatic stress disorder.
02/06/2023 Senate—Introduced—SJ 67
02/07/2023 Senate—Referred to Committee on Commerce—SJ 72
04/30/2024 Senate—Died in Committee

S 166 Bill by Utilities
Requiring public disclosure of an application for a transmission line siting permit under the jurisdiction of the state corporation commission.
02/06/2023 Senate—Introduced—SJ 67
02/07/2023 Senate—Referred to Committee on Utilities—SJ 72
02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 1:30 PM Room 548-S
02/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 127
02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Utilities—SJ 1382
04/30/2024 Senate—Died in Committee

S 167 Bill by Education
Requiring certain school district employees to receive training for seizure recognition and related first aid.
02/06/2023 Senate—Introduced—SJ 67
02/07/2023 Senate—Referred to Committee on Education—SJ 72
04/30/2024 Senate—Died in Committee

S 168 Bill by Assessment and Taxation
Authorizing cities and counties to exempt sales of food and food ingredients from sales taxes levied by such city or county.
02/06/2023 Senate—Introduced—SJ 67
02/07/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 72
02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 9:30 AM Room 548-S
04/30/2024 Senate—Died in Committee

S 170 Bill by Federal and State Affairs
Enacting the Kansas assistance animals in housing act, authorizing housing providers to require documentation of the need for an assistance animal and creating the crime of misrepresentation of entitlement to an assistance animal in housing.
02/07/2023 Senate—Introduced—SJ 68
02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
04/30/2024 Senate—Died in Committee

- S 171** Bill by Senators Holland, Corson, Doll, Faust-Goudeau, Francisco, Haley, Pettey, Pittman
Creating the veterans first medical cannabis act to regulate the cultivation, distribution, sale, possession and use of medical cannabis.
 02/07/2023 Senate—Introduced—SJ 68
 02/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 79
 04/30/2024 Senate—Died in Committee
- S 172** Bill by Commerce, Labor and Economic Development
House Substitute for SB 172 by Committee on Commerce, Labor and Economic Development - Creating the Kansas land and military installation protection act to prohibit foreign principals from countries of concern from holding any interest in certain real property in this state.
 02/07/2023 Senate—Introduced—SJ 69
 02/08/2023 Senate—Referred to Committee on Ways and Means—SJ 79
 02/10/2023 Senate—Hearing: Wednesday, February 15, 2023, 10:30 AM Room 548-S
 03/06/2023 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 212
 01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Ways and Means—SJ 1382
 01/30/2024 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 1456
 02/13/2024 Senate—Committee of the Whole - Be passed—SJ 1497
 02/15/2024 Senate—Final Action - Passed; Yea: 25 Nay: 14—SJ 1525
 02/19/2024 House—Received and Introduced—HJ 1779
 02/20/2024 House—Referred to Committee on Financial Institutions and Pensions—HJ 1790
 03/13/2024 House—Withdrawn from Committee on Financial Institutions and Pensions; Referred to Committee on Commerce, Labor and Economic Development—HJ 1934
 03/14/2024 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 1954
 03/26/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2325
 03/26/2024 House—Committee of the Whole - Amendment by Representative Xu was rejected—HJ 2325
 03/26/2024 House—Committee of the Whole - Substitute bill be passed—HJ 2325
 03/27/2024 House—Final Action - Substitute passed; Yea: 84 Nay: 39—HJ 2367
 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Thompson, Senator Kloos and Senator Faust-Goudeau as conferees—SJ 1841
 04/01/2024 House—Motion to accede adopted; Representative Tarwater, Representative Borjon and Representative Probst appointed as conferees—HJ 2406
 04/04/2024 House—Conference Committee Report agree to disagree adopted; Representative Tarwater, Representative Borjon and Representative Probst appointed as second conferees—HJ 2680
 04/05/2024 Senate—Conference Committee Report agree to disagree adopted; Senator Thompson, Senator Kloos and Senator Faust-Goudeau appointed as second conferees—SJ 2360
 04/05/2024 House—Conference Committee Report was adopted; Yea: 84 Nay: 36—HJ 3254
 04/05/2024 Senate—Conference Committee Report not adopted; Yea: 19 Nay: 14—SJ 2361
 04/05/2024 Senate—Motion to reconsider previous action adopted.—SJ 2362
 04/05/2024 Senate—Conference Committee Report not adopted; Senator Thompson, Senator Kloos and Senator Faust-Goudeau appointed as third conferees—SJ 2362

04/26/2024 House—Motion to accede adopted; Representative Tarwater, Representative Borjon and Representative Probst appointed as third conferees—HJ 3356
04/29/2024 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —HJ 3422
04/29/2024 House—Conference Committee Report was adopted; Yea: 86 Nay: 39—HJ 3422
04/30/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
04/30/2024 Senate—Conference Committee Report was adopted; Yea: 24 Nay: 14
04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, May 7, 2024
04/30/2024 Senate—Vetoed by Governor; Returned to Senate on Friday, May 10, 2024
04/30/2024 Senate—No motion to reconsider vetoed bill; Veto sustained

S 173 Bill by Public Health and Welfare
Authorizing the over-the-counter purchase of ivermectin tablets and hydroxychloroquine tablets.

02/07/2023 Senate—Introduced—SJ 69
02/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 79
04/30/2024 Senate—Died in Committee

S 175 Bill by Public Health and Welfare
Prohibiting abortion procedures and creating the crimes of unlawful performance of an abortion and unlawful destruction of a fertilized embryo.

02/07/2023 Senate—Introduced—SJ 69
02/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 79
04/30/2024 Senate—Died in Committee

S 176 Bill by Public Health and Welfare
Increasing the membership of the behavioral sciences regulatory board, decreasing the years of practice required for reciprocity licensure of certain professions, extending the license period for temporary licenses, establishing new license categories, providing additional continuing education requirements and requiring that clinical social work supervisors be approved by the board.

02/07/2023 Senate—Introduced—SJ 69
02/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 79
04/30/2024 Senate—Died in Committee

S 177 Bill by Senators Faust-Goudeau, Haley
Declaring Juneteenth National Independence Day to be a legal public holiday and closing state offices for certain legal public holidays.

02/07/2023 Senate—Introduced—SJ 69
02/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 79
04/30/2024 Senate—Died in Committee

S 178 Bill by Senator Haley
Requiring judicial foreclosure tax sales by public auction to be held in person at a physical location in the county.

02/07/2023 Senate—Introduced—SJ 70
02/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 79
04/30/2024 Senate—Died in Committee

S 179 Bill by Senator Haley
Providing that payment of special assessments for years other than the year being redeemed is not required for purposes of partial redemption of homesteads with delinquent property taxes.

02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 79
 04/30/2024 Senate—Died in Committee

- S 181** Bill by Public Health and Welfare
Authorizing establishment of city or county child death review boards and permitting disclosure of records and information related to child deaths.
 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 79
 04/30/2024 Senate—Died in Committee
- S 182** Bill by Senator Haley
Requiring a person convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child to pay restitution in the form of child support.
 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
 04/30/2024 Senate—Died in Committee
- S 183** Bill by Senator Haley
Increasing the penalty for certain violations of criminal discharge of a firearm when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm.
 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
 04/30/2024 Senate—Died in Committee
- S 184** Bill by Senator Holscher
Requiring nonpublic schools to participate in certain assessments and publish on their website performance accountability reports and longitudinal achievement reports.
 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Education—SJ 79
 04/30/2024 Senate—Died in Committee
- S 185** Bill by Senator Holscher
Authorizing school districts to include a teacher representative and a student representative as non-voting members of its board of education.
 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Education—SJ 79
 04/30/2024 Senate—Died in Committee
- S 186** Bill by Senator Haley
Creating the crime of deprivation of rights under color of law and providing a civil action for victims.
 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
 04/30/2024 Senate—Died in Committee
- S 187** Bill by Senator Haley
Providing for payment of interest in civil actions for wrongful conviction and directing the attorney general to seek damages for the state from any person who knowingly contributed to the wrongful conviction and prosecute ouster and criminal proceedings as warranted.
 02/07/2023 Senate—Introduced—SJ 70

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02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
04/30/2024 Senate—Died in Committee

S 188

Bill by Judiciary

Removing an affirmative defense for public, private and parochial schools from the crime of promotion to minors of material harmful to minors.

02/07/2023 Senate—Introduced—SJ 70
02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
04/30/2024 Senate—Died in Committee

S 190

Bill by Judiciary

House Substitute for SB 190 by Committee on Judiciary - Requiring persons who file lawsuits for wrongful conviction compensation to prove additional information, changing the compensation rates to daily rates instead of yearly rates and limiting housing assistance to such persons.

02/07/2023 Senate—Introduced—SJ 71
02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
01/10/2024 Senate—Hearing: Wednesday, January 17, 2024, 10:30 AM Room 346-S
01/24/2024 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1434
02/21/2024 Senate—Committee of the Whole - Amendment by Senator Warren was adopted—SJ 1556
02/21/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1556
02/22/2024 Senate—Final Action - Passed as amended; Yea: 31 Nay: 6—SJ 1581
02/28/2024 House—Received and Introduced—HJ 1871
02/29/2024 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1874
03/01/2024 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Judiciary—HJ 1879
03/04/2024 House—Hearing: Tuesday, March 5, 2024, 3:30 PM Room 582-N
03/25/2024 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 2293
03/28/2024 House—Stricken from Calendar by Rule 1507—HJ 2399

S 191

Bill by Judiciary

Establishing requirements for the involuntary discharge or transfer of a resident in an adult residential care facility, the right to appeal such discharge or transfer and a process for such appeal.

02/07/2023 Senate—Introduced—SJ 71
02/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 79
02/09/2023 Senate—Hearing: Thursday, February 16, 2023, 8:30 AM Room 142-S
04/30/2024 Senate—Died in Committee

S 192

Bill by Judiciary

Providing for payment plans and waiver of fines for traffic fines and court costs, expanding the eligibility for restricted driving privileges, removing and delaying payment for certain fees and eliminating reinstatement of certain fees.

02/07/2023 Senate—Introduced—SJ 71
02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
04/30/2024 Senate—Died in Committee

S 193

Bill by Judiciary

Enacting the reduce armed violence act to increase the criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms.

02/07/2023 Senate—Introduced—SJ 71
 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 10:30 AM Room 346-S
 02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 125
 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
 03/21/2023 Senate—Withdrawn from Calendar, Rereferred to Committee on Judiciary—SJ 271
 04/30/2024 Senate—Died in Committee

S 195

Bill by Ways and Means

Authorizing the children's cabinet to form a 501(c)(3) for fundraising for the Dolly Parton imagination library book gifting program.

02/07/2023 Senate—Introduced—SJ 71
 02/08/2023 Senate—Referred to Committee on Ways and Means—SJ 79
 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 10:30 AM Room 548-S
 02/15/2023 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 109
 02/22/2023 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 138
 02/22/2023 House—Received and Introduced—HJ 301
 02/23/2023 House—Referred to Committee on Appropriations—HJ 308
 03/06/2023 House—Hearing: Wednesday, March 8, 2023, 9:00 AM Room 112-N
 02/07/2024 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 1718
 03/05/2024 House—Committee of the Whole - Be passed—HJ 1883
 03/06/2024 House—Final Action - Passed; Yea: 118 Nay: 0—HJ 1889
 03/12/2024 Senate—Enrolled and presented to Governor on Tuesday, March 12, 2024—SJ 1641
 03/15/2024 Senate—Approved by Governor on Friday, March 15, 2024

S 196

Bill by Senator Pittman

Reinstating transfers to the local ad valorem tax reduction fund (LAVTRF).

02/07/2023 Senate—Introduced—SJ 71
 02/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 79
 01/08/2024 Senate—Hearing: Thursday, January 11, 2024, 9:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee

S 197

Bill by Senators Pittman, Corson, Holscher

Allowing voters to register on election day.

02/07/2023 Senate—Introduced—SJ 71
 02/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 79
 04/30/2024 Senate—Died in Committee

S 198

Bill by Senator Pittman

Providing a postretirement cost-of-living adjustment for certain KPERS retirees.

02/07/2023 Senate—Introduced—SJ 71
 02/08/2023 Senate—Referred to Committee on Ways and Means—SJ 79
 04/30/2024 Senate—Died in Committee

S 199

Bill by Senator Holland

Authorizing the state banking board to deny, suspend or revoke a charter of a fiduciary financial institution in certain circumstances, requiring fiduciary financial institutions to purchase a surety bond and establishing a civil

money penalty for violations of the technology-enabled fiduciary financial institutions act.

02/07/2023 Senate—Introduced—SJ 71

02/08/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 79

04/30/2024 Senate—Died in Committee

S 200 Bill by Senator Holland

Limiting the number of terms a legislator may serve as speaker of the house of representatives or president of the senate.

02/07/2023 Senate—Introduced—SJ 72

02/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 79

04/30/2024 Senate—Died in Committee

S 201 Bill by Federal and State Affairs

Prohibiting the expenditure of state moneys for the production or performance of drag shows for which minors are the primary audience.

02/07/2023 Senate—Introduced—SJ 72

02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79

04/30/2024 Senate—Died in Committee

S 202 Bill by Federal and State Affairs

Enacting the Kansas ranked-choice voting act to establish the use of the ranked-choice method of voting for elections in this state.

02/07/2023 Senate—Introduced—SJ 72

02/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 79

04/30/2024 Senate—Died in Committee

S 203 Bill by Ways and Means

Enacting the Kansas campus restoration act to address deferred maintenance at state educational institutions, establishing the Kansas campus restoration fund in the state treasury and authorizing certain transfers from the state general fund to such fund.

02/07/2023 Senate—Introduced—SJ 72

02/08/2023 Senate—Referred to Committee on Ways and Means—SJ 79

02/10/2023 Senate—Hearing: Friday, February 17, 2023, 10:30 AM Room 548-S

03/06/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 212

01/10/2024 Senate—Motion to strike from Calendar adopted;—SJ 1384

S 204 Bill by Joint Committee on Fiduciary Financial Institutions Oversight

Replacing the definition of "charitable beneficiaries" with "qualified charities" in the technology-enabled fiduciary financial institutions act.

02/08/2023 Senate—Introduced—SJ 74

02/09/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 83

02/09/2023 Senate—Hearing: Tuesday, February 14, 2023, 9:30 AM Room 546-S

02/15/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 107

02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198

03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203

04/04/2023 Senate—Withdrawn from Calendar, Rereferred to Committee on Financial Institutions and Insurance—SJ 406

04/30/2024 Senate—Died in Committee

- S 206** Bill by Senators Holland, Francisco
Enacting the medical autonomy/accessibility and truth act to remove certain provisions regarding abortion from the no taxpayer funding for abortion act, the woman's-right-to-know act and the pain-capable unborn child act to allow for insurance coverage for abortions, provide tax benefits for abortion-related services and remove inaccurate statements regarding the risks of abortion.
 02/08/2023 Senate—Introduced—SJ 74
 02/09/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 83
 04/30/2024 Senate—Died in Committee
- S 207** Bill by Education
Requiring policies for and establishing restrictions on school districts with regard to the use of an individual's pronouns if such pronouns differ from the individual's biological sex.
 02/08/2023 Senate—Introduced—SJ 74
 02/09/2023 Senate—Referred to Committee on Education—SJ 82
 04/30/2024 Senate—Died in Committee
- S 211** Bill by Senators McGinn, Bowers, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holscher, Longbine, Pettey, Pittman, Reddi, Sykes, Ware
Abolishing the death penalty and creating the crime of aggravated murder.
 02/08/2023 Senate—Introduced—SJ 75
 02/09/2023 Senate—Referred to Committee on Judiciary—SJ 83
 04/30/2024 Senate—Died in Committee
- S 212** Bill by Senator Straub
Permitting an ambulance to operate with one emergency medical service provider in rural counties.
 02/08/2023 Senate—Introduced—SJ 75
 02/09/2023 Senate—Referred to Committee on Local Government—SJ 83
 02/13/2023 Senate—Hearing: Thursday, February 16, 2023, 9:30 AM Room 142-S
 04/30/2024 Senate—Died in Committee
- S 213** Bill by Senator Francisco
Requiring healthcare providers to charge the same amount for medical record requests related to a patient's social security disability, workers' compensation, medical malpractice or personal injury claims whether requested by a patient or the patient's legal representative.
 02/08/2023 Senate—Introduced—SJ 75
 02/09/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 83
 04/30/2024 Senate—Died in Committee
- S 214** Bill by Federal and State Affairs
Prohibiting public utilities from recovering any dues, donations or contributions to any charitable or social organization or entity through customer rates.
 02/08/2023 Senate—Introduced—SJ 75
 02/09/2023 Senate—Referred to Committee on Utilities—SJ 83
 04/30/2024 Senate—Died in Committee
- S 215** Bill by Ways and Means
Establishing the Kansas rail safety improvement act, providing for safety requirements for railroad operations and crossings and allowing for the transfer of title for abandoned railroad tracks to cities and counties.
 02/08/2023 Senate—Introduced—SJ 75

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02/09/2023 Senate—Referred to Committee on Transportation—SJ 83
04/30/2024 Senate—Died in Committee

S 216 Bill by Judiciary
Adding possession or using a firearm during the commission of certain drug crimes to the crime of criminal use of weapons and creating a special sentencing rule of presumptive imprisonment for violations thereof.
02/08/2023 Senate—Introduced—SJ 75
02/09/2023 Senate—Referred to Committee on Judiciary—SJ 83
04/30/2024 Senate—Died in Committee

S 218 Bill by Federal and State Affairs
Requiring county election officers to assign registered voters whose residence has no corresponding mailing address to the voting precinct where the residence of such voter is located.
02/08/2023 Senate—Introduced—SJ 76
02/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 82
04/30/2024 Senate—Died in Committee

S 219 Bill by Health and Human Services
Substitute for SB 219 by Committee on Health and Human Services - Expanding eligibility for rural emergency hospital licensure to facilities that meet criteria between 2015 and 2020.
02/08/2023 Senate—Introduced—SJ 76
02/09/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 83
02/16/2023 Senate—Hearing: Friday, February 17, 2023, 8:30 AM Room 142-S
02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 125
02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
02/23/2023 Senate—Final Action - Passed; Yea: 26 Nay: 12—SJ 167
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
02/29/2024 House—Committee Report recommending substitute bill be passed by Committee on Health and Human Services—HJ 1877
04/30/2024 House—Died on House Calendar

S 220 Bill by Federal and State Affairs
Establishing uniform requirements for all advance voting ballot envelopes.
02/08/2023 Senate—Introduced—SJ 76
02/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 82
04/30/2024 Senate—Died in Committee

S 222 Bill by Federal and State Affairs
Removing liability protections from online platforms and requiring certain wireless communication devices to have a default setting notifying parents of application downloads.
02/08/2023 Senate—Introduced—SJ 76
02/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 83
04/30/2024 Senate—Died in Committee

S 223 Bill by Federal and State Affairs
Changing the candidate filing deadline and the primary election date to two months earlier than current law, increasing campaign contribution limits and modifying restrictions on campaign activities during legislative sessions.
02/09/2023 Senate—Introduced—SJ 81

02/10/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 92
 04/30/2024 Senate—Died in Committee

- S 224** Bill by Federal and State Affairs
Enacting the Kansas protection of pensions and businesses against ideological interference act, relating to ideological boycotts involving environmental, social or governance standards, requiring KPERs to divest from and prohibiting state contracts or the deposit of state moneys with entities engaged in such boycotts as determined by the state treasurer and prohibiting discriminatory practices in the financial services industry based on such boycotts.
 02/09/2023 Senate—Introduced—SJ 82
 02/10/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 92
 03/01/2023 Senate—Hearing: Tuesday, March 7, 2023, 10:30 AM Room 144-S
 03/01/2023 Senate—Hearing continuation: Wednesday, March 8, 2023, 10:30 AM Room 144-S
 04/30/2024 Senate—Died in Committee
- S 225** Bill by Ways and Means
Establishing the KanCare bridge to a healthy Kansas program to expand Medicaid eligibility.
 02/09/2023 Senate—Introduced—SJ 82
 02/10/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 92
 04/30/2024 Senate—Died in Committee
- S 226** Bill by Education
Authorizing educational agencies to disclose student data for the purpose of conducting research contracted for by an educational agency.
 02/09/2023 Senate—Introduced—SJ 82
 02/10/2023 Senate—Referred to Committee on Education—SJ 92
 04/30/2024 Senate—Died in Committee
- S 227** Bill by Assessment and Taxation
Allowing a retailer to retain the state rate of sales and compensating use tax from movie ticket sales and concession sales.
 02/09/2023 Senate—Introduced—SJ 82
 02/10/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 92
 02/22/2023 Senate—Hearing: Thursday, March 2, 2023, 9:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee
- S 230** Bill by Assessment and Taxation
Enacting the Kansas thrift savings plan act and establishing terms, conditions, requirements, membership elections, accounts, benefits, contributions and distributions related to such act.
 02/10/2023 Senate—Introduced—SJ 90
 02/13/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 93
 04/30/2024 Senate—Died in Committee
- S 231** Bill by Ways and Means
Providing postsecondary tuition assistance to certain children of qualifying public school teachers.
 02/10/2023 Senate—Introduced—SJ 90
 02/13/2023 Senate—Referred to Committee on Education—SJ 93
 04/30/2024 Senate—Died in Committee

S 232

Bill by Judiciary

House Substitute for Substitute for SB 232 by Committee on Judiciary - Providing for child support orders for unborn children from the date of conception.

- 02/10/2023 Senate—Introduced—SJ 90
- 02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93
- 02/22/2023 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 158
- 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—SJ 170
- 02/23/2023 Senate—Committee of the Whole - Substitute bill be passed—SJ 170
- 02/23/2023 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 0—SJ 197
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Child Welfare and Foster Care—HJ 360
- 03/21/2024 House—Withdrawn from Committee on Child Welfare and Foster Care; Referred to Committee on Judiciary—HJ 2270
- 03/25/2024 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 2293
- 03/27/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2375
- 03/27/2024 House—Committee of the Whole - Amendment by Representative Concannon was adopted—HJ 2375
- 03/27/2024 House—Committee of the Whole - Amendment by Representative Ousley was rejected—HJ 2375
- 03/27/2024 House—Committee of the Whole - Motion to refer to committee failed Committee on Child Welfare and Foster Care—HJ 2375
- 03/27/2024 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2375
- 03/27/2024 House—Emergency Final Action - Substitute passed as amended; Yea: 84 Nay: 38—HJ 2386
- 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 1841
- 04/01/2024 House—Motion to accede adopted; Representative Humphries, Representative Lewis and Representative Osman appointed as conferees—HJ 2406
- 04/05/2024 House—Conference Committee Report agree to disagree adopted; Representative Humphries, Representative Lewis and Representative Osman appointed as second conferees—HJ 3195
- 04/05/2024 Senate—Conference Committee Report agree to disagree adopted; Senator Warren, Senator Wilborn and Senator Corson appointed as second conferees—SJ 2362
- 04/05/2024 House—Conference Committee Report was adopted; Yea: 82 Nay: 38—HJ 3256
- 04/26/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
- 04/26/2024 Senate—Conference Committee Report was adopted; Yea: 25 Nay: 12
- 04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, April 30, 2024
- 04/30/2024 Senate—Vetoed by Governor; Returned to Senate on Friday, May 10, 2024
- 04/30/2024 Senate—No motion to reconsider vetoed bill; Veto sustained

S 233

Bill by Health and Human Services

House Substitute for SB 233 by Committee on Health and Human Services - Enacting the forbidding abuse child transitions act, restricting use of state funds to promote gender transitioning, prohibiting healthcare providers from treating children whose gender identity is inconsistent with the child's sex, authorizing a civil cause of action against healthcare providers for providing such treatments, requiring professional discipline against a healthcare provider who performs such treatment, prohibiting professional

liability insurance from covering damages for healthcare providers that provide gender transition treatment to children and adding violation of the act to the definition of unprofessional conduct for physicians and nurses.

- 02/10/2023 Senate—Introduced—SJ 90
 02/13/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 93
 02/13/2023 Senate—Hearing: Tuesday, February 14, 2023, 8:30 AM Room Room Change to 546
 02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 125
 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
 02/23/2023 Senate—Final Action - Passed; Yea: 26 Nay: 11—SJ 168
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
 03/11/2024 House—Committee Report recommending substitute bill be passed by Committee on Health and Human Services—HJ 1916
 03/12/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 1923
 03/12/2024 House—Committee of the Whole - Amendment by Representative Bryce was adopted—HJ 1923
 03/12/2024 House—Committee of the Whole - Substitute bill be passed as amended—HJ 1924
 03/13/2024 House—Final Action - Substitute passed as amended; Yea: 80 Nay: 40—HJ 1936
 03/14/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Gossage, Senator Erickson and Senator Pettey as conferees—SJ 1705
 03/19/2024 House—Motion to accede adopted; Representative Landwehr, Representative Eplee and Representative Ruiz, S. appointed as conferees—HJ 1966
 03/20/2024 House—Conference Committee Report agree to disagree adopted; Representative Landwehr, Representative Eplee and Representative Ruiz, S. appointed as second conferees—HJ 2262
 03/20/2024 Senate—Conference Committee Report agree to disagree adopted; Senator Gossage, Senator Erickson and Senator Pettey appointed as second conferees—SJ 1741
 03/27/2024 House—Conference Committee Report was adopted; Yea: 82 Nay: 39—HJ 2376
 03/27/2024 Senate—Conference Committee Report was adopted; Yea: 27 Nay: 13
 04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ 1848
 04/25/2024 Senate—Vetoed by Governor; Returned to Senate on Friday, April 12, 2024
 04/29/2024 Senate—Motion to override veto prevailed; Yea: 27 Nay: 13—SJ 2756
 04/29/2024 House—Motion to override veto failed; Veto sustained; Yea: 82 Nay: 43—HJ 3490

S 234

Bill by Public Health and Welfare

Prohibiting governmental entities from sharing or transmitting social care information into a closed loop referral system.

- 02/10/2023 Senate—Introduced—SJ 90
 02/13/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 93
 02/23/2023 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 198
 03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 203
 03/22/2023 Senate—Hearing: Friday, March 24, 2023, 8:30 AM Room 142-S
 04/30/2024 Senate—Died in Committee

S 235

Bill by Public Health and Welfare

Expanding limitations to third-party access to provider network contracts and discounts unless certain criteria are met and prohibitions on payment method restrictions and limitations on certain transaction fees from dental services to all healthcare services.

02/10/2023 Senate—Introduced—SJ 90

02/13/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 93

04/30/2024 Senate—Died in Committee

S 236 Bill by Public Health and Welfare

Requiring drug manufacturers to provide pricing under the federal 340B drug pricing program to pharmacies that enter into contractual agreements with entities covered under the 340B program and prohibiting pharmacy benefits managers from denying patients the freedom to use the pharmacy and healthcare provider of such patient's choice.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 93

04/30/2024 Senate—Died in Committee

S 237 Bill by Federal and State Affairs

Requiring a criminal conviction for civil asset forfeiture and proof beyond a reasonable doubt that property is subject to forfeiture, remitting proceeds to the state general fund and requiring law enforcement agencies to make forfeiture reports more frequently.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93

04/30/2024 Senate—Died in Committee

S 238 Bill by Judiciary

Increasing criminal penalties on drug-related crimes when the drug is fentanyl and creating special sentencing rules for mandatory imprisonment and additional terms of imprisonment for drug-related crimes when the drug is fentanyl or is attractive to minors because of its appearance or packaging.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93

02/14/2023 Senate—Hearing: Wednesday, February 15, 2023, 10:30 AM Room 346-S

02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 132

02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198

03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203

01/10/2024 Senate—Motion to strike from Calendar adopted;—SJ 1384

S 239 Bill by Judiciary

Providing that certain witnesses shall have the right to be accompanied by a support person during testimony and may be accompanied by a certified critical incident response therapy K9 team.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93

04/30/2024 Senate—Died in Committee

S 240 Bill by Judiciary

Amending the crime of aggravated endangering a child to increase the criminal penalties in certain environments where any person is distributing, possessing with intent to distribute, manufacturing or attempting to

manufacture fentanyl-related controlled substances.

02/10/2023 Senate—Introduced—SJ 91
 02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93
 02/15/2023 Senate—Hearing: Monday, February 20, 2023, 10:30 AM Room 346-S
 04/30/2024 Senate—Died in Committee

S 241 Bill by Judiciary
Requiring certain records and files to be automatically expunged from a juvenile's record.

02/10/2023 Senate—Introduced—SJ 91
 02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93
 04/30/2024 Senate—Died in Committee

S 242 Bill by Judiciary
Enacting the cold case homicide victims' families' rights act to provide for a system for reviewing the case files of cold case homicides upon written application by certain persons.

02/10/2023 Senate—Introduced—SJ 91
 02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93
 04/30/2024 Senate—Died in Committee

S 245 Bill by Federal and State Affairs
Enacting the commercial financing disclosure act, requiring certain disclosures when making commercial financing product transactions, requiring registration with state bank commissioner, obtaining a surety bond, providing for civil penalties and rules and regulations by the commissioner and authorizing enforcement of such act by the attorney general.

02/13/2023 Senate—Introduced—SJ 93
 02/14/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 97
 04/30/2024 Senate—Died in Committee

S 246 Bill by Ways and Means
Defining in-state and interstate practitioners under the Kansas telemedicine act, establishing certain standards of care, requiring certain insurance coverage of in-state telemedicine services and establishing the Kansas telehealth advisory committee.

02/13/2023 Senate—Introduced—SJ 93
 02/14/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 97
 04/30/2024 Senate—Died in Committee

S 247 Bill by Assessment and Taxation
Providing a sales tax exemption for purchases by a not-for-profit corporation operating a community theater.

02/13/2023 Senate—Introduced—SJ 93
 02/14/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 97
 02/22/2023 Senate—Hearing: Thursday, March 2, 2023, 9:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee

S 248 Bill by Assessment and Taxation
Providing sales tax exemptions for certain food and food ingredients and for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf and repealing the state rate reduction for sales of certain food and food ingredients.

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02/13/2023 Senate—Introduced—SJ 93
02/14/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 97
02/17/2023 Senate—Hearing: Monday, February 20, 2023, 9:30 AM Room 548-S
02/22/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 141
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Petersen was adopted Yea: 20 Nay: 14—SJ 172
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Holland was rejected Yea: 10 Nay: 26—SJ 183
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Fagg was adopted—SJ 173
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Sykes was rejected Yea: 16 Nay: 20—SJ 183
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Holland was rejected—SJ 183
02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 173
02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 22 Nay: 16—SJ 198
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Taxation—HJ 360
03/08/2023 House—Hearing: Monday, March 13, 2023, 3:30 PM Room 346-S
04/30/2024 House—Died in House Committee

S 249 Bill by Federal and State Affairs
Substitute for SB 249 by Committee on Federal and State Affairs - Providing for the filling of a vacancy in the office of state treasurer, commissioner of insurance or lieutenant governor by appointment of a person of the same political party as the incumbent office holder and making such appointment subject to senate confirmation.

02/14/2023 Senate—Introduced—SJ 95
02/15/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 104
01/10/2024 Senate—Hearing: Thursday, January 18, 2024, 10:30 AM Room 144-S
01/24/2024 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 1434
03/25/2024 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 1768
04/30/2024 Senate—Died on Calendar

S 250 Bill by Federal and State Affairs
Removing state department fees for concealed-carry licenses.

02/14/2023 Senate—Introduced—SJ 96
02/15/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 104
04/30/2024 Senate—Died in Committee

S 251 Bill by Federal and State Affairs
Providing sampling rules for alcoholic liquor and cereal malt beverages for spirits distributors, wine distributors and beer distributors in regard to the amount of products used for samples for distributors, retailers and club and drinking establishment licensees.

02/14/2023 Senate—Introduced—SJ 96
02/15/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 104
04/30/2024 Senate—Died in Committee

S 252 Bill by Assessment and Taxation
Providing for exemptions from property tax and sales tax for certain businesses competing against governmental entities.

02/14/2023 Senate—Introduced—SJ 96
 02/15/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 104
 02/17/2023 Senate—Hearing: Tuesday, February 21, 2023, 9:30 AM Room 548-S
 02/22/2023 Senate—Committee Report recommending bill be passed as amended by
 Committee on Assessment and Taxation—SJ 153
 03/27/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 330
 03/27/2023 Senate—Committee of the Whole - Amendment by Senator Baumgardner
 was adopted—SJ 330
 03/27/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 330
 03/28/2023 Senate—Final Action - Passed as amended; Yea: 24 Nay: 16—SJ 346
 03/29/2023 House—Received and Introduced—HJ 566
 04/03/2023 House—Referred to Committee on Taxation—HJ 594
 04/30/2024 House—Died in House Committee

S 253 Bill by Federal and State Affairs

Authorizing home delivery by licensed retailers, licensed clubs and drinking establishments and restaurants and third-party delivery services.

02/15/2023 Senate—Introduced—SJ 100
 02/16/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 112
 03/01/2023 Senate—Hearing: Friday, March 10, 2023, 10:30 AM Room 144-S
 01/24/2024 Senate—Hearing: Wednesday, January 31, 2024, 10:30 AM Room 144-S
 04/30/2024 Senate—Died in Committee

S 254 Bill by Federal and State Affairs

Substitute for SB 254 by Committee on Federal and State Affairs - Providing for the filling of a vacancy in the office of United States senator by appointment of a person of the same political party as the incumbent office holder and making such appointment subject to senate confirmation.

02/15/2023 Senate—Introduced—SJ 101
 02/16/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 112
 01/10/2024 Senate—Hearing: Thursday, January 18, 2024, 10:30 AM Room 144-S
 03/04/2024 Senate—Committee Report recommending substitute bill be passed by
 Committee on Federal and State Affairs—SJ 1617
 03/25/2024 Senate—Committee of the Whole - Passed over and retain a place on the
 calendar—SJ 1768
 04/30/2024 Senate—Died on Calendar

S 255 Bill by Federal and State Affairs

Requiring school districts to provide separate accommodations for students of each biological sex on overnight school sponsored trips.

02/15/2023 Senate—Introduced—SJ 101
 02/16/2023 Senate—Referred to Committee on Education—SJ 112
 03/15/2023 Senate—Hearing: Wednesday, March 22, 2023, 1:30 PM Room 144-S
 04/30/2024 Senate—Died in Committee

S 256 Bill by Ways and Means

Providing KPERS 3 members an additional interest credit of 1% for calendar year 2023.

02/15/2023 Senate—Introduced—SJ 101
 02/16/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ
 112
 02/22/2023 Senate—Hearing: Thursday, March 2, 2023, 9:30 AM Room 546-S
 04/30/2024 Senate—Died in Committee

S 257 Bill by Federal and State Affairs

Requiring that closed captioning be enabled on televisions and television receivers in

public areas of places of public accommodation.

02/15/2023 Senate—Introduced—SJ 101
02/16/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 112
04/30/2024 Senate—Died in Committee

- S 258** Bill by Federal and State Affairs
Enacting the act against abusive access litigation to create a civil action for determining whether litigation that alleges any access violation under the Americans with disabilities act or similar law constitutes abusive litigation and authorize penalties for such abusive litigation.

02/16/2023 Senate—Introduced—SJ 110
02/17/2023 Senate—Referred to Committee on Judiciary—SJ 117
03/01/2023 Senate—Hearing: Monday, March 6, 2023, 10:30 AM Room 346-S
04/30/2024 Senate—Died in Committee

- S 259** Bill by Federal and State Affairs
Prohibiting the use of ballot copies for purposes of any audit or recount of an election, setting a 7:00 p.m. deadline for receipt of advance mail ballots, requiring the use of paper ballots and hand counting, establishing legislative oversight, requiring that certain ballot records and all election records be publicly available and mandating use of a uniform paper for ballot printing.

02/16/2023 Senate—Introduced—SJ 111
02/17/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 117
04/30/2024 Senate—Died in Committee

- S 260** Bill by Federal and State Affairs
Prohibiting remote ballot boxes, providing for reporting and publication of voting results and public access to voting records and materials, limiting advance voting provisions and requiring receipt of advance voting ballots by election day, limiting the size of precincts, making the general election a state holiday, providing that the sheriff has sole jurisdiction for and shall provide security at voting places, establishing the authority of the legislature over elections with preeminence over rules and regulations of the secretary of state and federal election law and making certain election crimes felonies.

02/16/2023 Senate—Introduced—SJ 111
02/17/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 117
04/30/2024 Senate—Died in Committee

- S 261** Bill by Federal and State Affairs
Authorizing appeals from certain decisions related to a citizen-initiated grand jury.

02/16/2023 Senate—Introduced—SJ 111
02/17/2023 Senate—Referred to Committee on Judiciary—SJ 117
04/30/2024 Senate—Died in Committee

- S 262** Bill by Federal and State Affairs
Requiring voting and vote tabulation by hand and prohibiting electronic poll books or electronic or electromechanical voting or tabulation systems after January 1, 2024, mandating legislative approval of certain election matters and providing for the reporting of vote counts to the secretary of state and publication of the vote counts by the secretary.

02/16/2023 Senate—Introduced—SJ 111
02/17/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 117
04/30/2024 Senate—Died in Committee

- S 263** Bill by Assessment and Taxation
Requiring director of property valuation appraiser directives be established by rules and regulations.
 02/16/2023 Senate—Introduced—SJ 112
 02/17/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 117
 03/08/2023 Senate—Hearing: Thursday, March 16, 2023, 9:30 AM Room 548-S
 03/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 263
 01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
 04/30/2024 Senate—Died in Committee
- S 264** Bill by Assessment and Taxation
Increasing the income tax credit amount for household and dependent care expenses.
 02/16/2023 Senate—Introduced—SJ 112
 02/17/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 117
 01/17/2024 Senate—Hearing: Thursday, January 25, 2024, 9:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee
- S 265** Bill by Ways and Means
Requiring a person convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child to pay restitution in the form of child support and increasing the criminal penalties for repeat violations of a protective order.
 02/16/2023 Senate—Introduced—SJ 112
 02/17/2023 Senate—Referred to Committee on Judiciary—SJ 117
 03/01/2023 Senate—Hearing: Monday, March 6, 2023, 10:30 AM Room 346-S
 03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 294
 03/27/2023 Senate—Committee of the Whole - Amendment by Senator Haley was adopted—SJ 327
 03/27/2023 Senate—Committee of the Whole - Be passed as amended—SJ 328
 03/28/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 346
 03/29/2023 House—Received and Introduced—HJ 566
 04/03/2023 House—Referred to Committee on Judiciary—HJ 594
 03/08/2024 House—Hearing: Wednesday, March 13, 2024, 3:30 PM Room 582-N
 03/25/2024 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2294
 04/30/2024 House—Died on House Calendar
- S 266** Bill by Ways and Means
Requiring law enforcement officers investigating alleged domestic violence to give certain notices to victims and conduct a lethality assessment.
 02/16/2023 Senate—Introduced—SJ 112
 02/17/2023 Senate—Referred to Committee on Judiciary—SJ 117
 04/30/2024 Senate—Died in Committee
- S 267** Bill by Ways and Means
Defining primary aggressor for domestic violence purposes and requiring law enforcement policies to direct that arrest is the preferred response only with respect to the primary aggressor.
 02/16/2023 Senate—Introduced—SJ 112
 02/17/2023 Senate—Referred to Committee on Judiciary—SJ 117
 04/30/2024 Senate—Died in Committee

- S 268** Bill by Federal and State Affairs
Eliminating the statutory qualifications listed for the chief inspector for boiler safety appointed by the state fire marshal.
02/20/2023 Senate—Introduced—SJ 120
02/21/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 129
04/30/2024 Senate—Died in Committee
- S 269** Bill by Federal and State Affairs
Exempting charitable raffle prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act.
02/20/2023 Senate—Introduced—SJ 120
02/21/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 129
04/30/2024 Senate—Died in Committee
- S 270** Bill by Federal and State Affairs
Including acts that occur in the course of the taking of property in the crimes of robbery and aggravated robbery.
02/21/2023 Senate—Introduced—SJ 128
02/22/2023 Senate—Referred to Committee on Judiciary—SJ 137
04/30/2024 Senate—Died in Committee
- S 271** Bill by Commerce, Labor and Economic Development
House Substitute for SB 271 by Committee on Commerce, Labor and Economic Development - Prohibiting governmental agencies from acquiring critical components of drone technology from countries of concern and prohibiting state-level agencies from procuring final or finished goods or services from countries of concern.
02/21/2023 Senate—Introduced—SJ 128
02/22/2023 Senate—Referred to Committee on Transportation—SJ 137
03/01/2023 Senate—Hearing: Tuesday, March 7, 2023, 8:30 AM Room 546-S
03/07/2023 Senate—Hearing continuation: Wednesday, March 8, 2023, 8:30 AM Room 546-S
03/15/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 241
03/27/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 328
03/27/2023 Senate—Committee of the Whole - Be passed as amended—SJ 328
03/28/2023 Senate—Final Action - Passed as amended; Yea: 27 Nay: 13—SJ 347
03/29/2023 House—Received and Introduced—HJ 566
04/03/2023 House—Referred to Committee on Transportation—HJ 594
03/13/2024 House—Withdrawn from Committee on Transportation; Referred to Committee on Commerce, Labor and Economic Development—HJ 1934
03/14/2024 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 1954
03/26/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2325
03/26/2024 House—Committee of the Whole - Amendment by Representative Sutton was adopted—HJ 2325
03/26/2024 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2328
03/27/2024 House—Final Action - Substitute passed as amended; Yea: 83 Nay: 40—HJ 2368
04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Thompson, Senator Kloos and Senator Faust-Goudeau as conferees—SJ 1841
04/01/2024 House—Motion to accede adopted; Representative Tarwater, Representative Borjon and Representative Probst appointed as conferees—HJ 2406

- 04/04/2024 House—Conference Committee Report was adopted; Yea: 86 Nay: 35—HJ 2517
- 04/05/2024 Senate—Conference Committee Report not adopted; Senator Thompson, Senator Kloos and Senator Faust-Goudeau appointed as second conferees—SJ 2363
- 04/05/2024 House—Motion to accede adopted; Representative Tarwater, Representative Borjon and Representative Probst appointed as second conferees—HJ 3087
- 04/05/2024 House—Conference Committee Report was adopted; Yea: 90 Nay: 30—HJ 3251
- 04/05/2024 Senate—Motion to adopt Conference Committee Report. Substitute motion to not adopt and appoint a new conference failed.—SJ 2365
- 04/05/2024 Senate—Conference Committee Report was adopted; Yea: 21 Nay: 12—SJ 2365
- 04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024
- 04/25/2024 Senate—Vetoed by Governor; Returned to Senate on Wednesday, April 24, 2024
- 04/29/2024 Senate—Motion to override veto failed; Veto sustained; Yea: 21 Nay: 16—SJ 2757

S 272

Bill by Ways and Means

Increasing the transfer from the state highway fund to the public use general aviation airport development fund.

- 02/21/2023 Senate—Introduced—SJ 129
- 02/22/2023 Senate—Referred to Committee on Ways and Means—SJ 137
- 02/07/2024 Senate—Hearing: Wednesday, February 14, 2024, 10:30 AM Room 548-S
- 02/20/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 1552
- 02/21/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1556
- 02/21/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1556
- 02/22/2024 Senate—Final Action - Passed as amended; Yea: 36 Nay: 4—SJ 1581
- 02/28/2024 House—Received and Introduced—HJ 1871
- 02/29/2024 House—Referred to Committee on Transportation—HJ 1874
- 03/06/2024 House—Hearing: Tuesday, March 12, 2024, 1:30 PM Room 582-N
- 03/15/2024 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—HJ 1959
- 03/21/2024 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 2271
- 04/30/2024 House—Died on House Calendar

S 273

Bill by Assessment and Taxation

Eliminating the zoning and planning authority for cities in the three-mile area extending from the city boundaries.

- 02/21/2023 Senate—Introduced—SJ 129
- 02/22/2023 Senate—Referred to Committee on Local Government—SJ 137
- 02/23/2024 Senate—Withdrawn from Committee on Local Government; Referred to Committee on Ways and Means—SJ 1593
- 02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Local Government—SJ 1596
- 04/30/2024 Senate—Died in Committee

S 274

Bill by Assessment and Taxation

Requiring the use of the cost approach for special purpose property for property tax valuation purposes.

- 02/21/2023 Senate—Introduced—SJ 129
- 02/22/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 137
- 03/08/2023 Senate—Hearing: Wednesday, March 15, 2023, 9:30 AM Room 548-S
- 04/30/2024 Senate—Died in Committee

BILLS 56

- S 275** Bill by Ways and Means
Changing the total amount credited to the state gaming revenues fund, increasing the transfer of moneys from such fund to the correctional institutions building fund and decreasing the transfer of moneys to the state economic development initiatives fund.
02/22/2023 Senate—Introduced—SJ 136
02/23/2023 Senate—Referred to Committee on Ways and Means—SJ 160
03/20/2023 Senate—Hearing: Thursday, March 23, 2023, 10:30 AM Room 548-S
04/30/2024 Senate—Died in Committee
- S 276** Bill by Federal and State Affairs
Specifying the delta-9 tetrahydrocannabinol concentration amount for final hemp products and allowing certain hemp products to be manufactured, marketed, sold or distributed.
02/22/2023 Senate—Introduced—SJ 137
02/23/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 160
04/30/2024 Senate—Died in Committee
- S 277** Bill by Ways and Means
Providing for the regulation of supplemental nursing services agencies by the secretary for aging and disability services.
02/22/2023 Senate—Introduced—SJ 137
02/23/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 160
04/30/2024 Senate—Died in Committee
- S 278** Bill by Federal and State Affairs
Requiring public utilities to report information regarding customer assistance programs, account delinquencies and disconnections.
02/22/2023 Senate—Introduced—SJ 137
02/23/2023 Senate—Referred to Committee on Utilities—SJ 160
03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 1:30 PM Room 548-S
04/30/2024 Senate—Died in Committee
- S 279** Bill by Federal and State Affairs
Granting law enforcement officials access to the prescription monitoring program database without a warrant and replacing the member of the program advisory committee representing the Kansas bureau of investigation with the attorney general or the attorney general's designee.
02/22/2023 Senate—Introduced—SJ 137
02/23/2023 Senate—Referred to Committee on Judiciary—SJ 160
04/30/2024 Senate—Died in Committee
- S 280** Bill by Federal and State Affairs
Modifying self-defense and use of force provisions related to the initial aggressor standard, changing immunity from criminal prosecution and civil action to an affirmative defense and requiring reporting and publication of certain data related to use of force cases by the Kansas bureau of investigation and the judicial administrator.
02/23/2023 Senate—Introduced—SJ 159
03/01/2023 Senate—Referred to Committee on Judiciary—SJ 201
04/30/2024 Senate—Died in Committee
- S 281** Bill by Federal and State Affairs
Creating the position of dementia services coordinator within the department of aging and disability services.

03/01/2023 Senate—Introduced—SJ 200
 03/02/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 206
 04/30/2024 Senate—Died in Committee

S 282 Bill by Federal and State Affairs
Establishing child care licensing requirements relating to license capacity and staff-to-child ratios, eliminating certain license fees and training requirements, permitting a 16 year-old staff member to staff a unit with children at least 12 months old without supervision, creating a process for day care facility licensees to apply for temporary waiver of certain statutory requirements and authorizing the secretary to develop and operate pilot programs to increase day care facility availability or capacity.

03/01/2023 Senate—Introduced—SJ 201
 03/02/2023 Senate—Referred to Committee on Commerce—SJ 206
 03/03/2023 Senate—Hearing: Wednesday, March 8, 2023, 10:30 AM Room 546-S
 04/30/2024 Senate—Died in Committee

S 283 Bill by Federal and State Affairs
Prohibiting conveyance of certain real property in this state to foreign adversaries.
 03/02/2023 Senate—Introduced—SJ 204
 03/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 208
 03/07/2023 Senate—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Judiciary—SJ 214
 03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 10:30 AM Room 346-S
 04/30/2024 Senate—Died in Committee

S 284 Bill by Ways and Means
Establishing the blind information access act to require the state library to provide on-demand information access services to persons who are blind, visually impaired, deafblind or print disabled.
 03/02/2023 Senate—Introduced—SJ 205
 03/03/2023 Senate—Referred to Committee on Utilities—SJ 208
 02/23/2024 Senate—Withdrawn from Committee on Utilities; Referred to Committee on Ways and Means—SJ 1593
 02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Utilities—SJ 1596
 03/06/2024 Senate—Hearing: Thursday, March 14, 2024, 1:30 PM Room 548-S
 03/21/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities
 04/30/2024 Senate—Died on Calendar

S 285 Bill by Federal and State Affairs
Eliminating the senate confirmation requirement from the appointment of national guard officers.
 03/02/2023 Senate—Introduced—SJ 205
 03/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 208
 04/30/2024 Senate—Died in Committee

S 286 Bill by Federal and State Affairs
Prohibiting abortion procedures except when necessary to save the life of the pregnant woman and providing a private cause of action for civil enforcement of such prohibition.
 03/02/2023 Senate—Introduced—SJ 205
 03/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 208
 03/21/2024 Senate—Motion to withdraw from Committee on Federal and State Affairs was not adopted. Yea: 7 Nay: 26—SJ 1749

04/30/2024 Senate—Died in Committee

S 287

Bill by Health and Human Services

House Substitute for SB 287 by Committee on Health and Human Services - Prohibiting a healthcare provider from administering medication, diagnostic tests or conducting ongoing behavioral health treatments to a minor in a school facility without parental consent, enacting the no patient left alone act to require medical care facilities to allow in-person visitation in certain circumstances, expanding licensure of rural emergency hospitals that meet criteria between January 2015 and December 2020 and authorizing emergency medical responders to distribute non prescription over-the-counter medications.

03/02/2023 Senate—Introduced—SJ 205

03/03/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 208

03/15/2023 Senate—Hearing: Monday, March 20, 2023, 8:30 AM Room 142-S

03/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 270

03/28/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 359

03/28/2023 Senate—Committee of the Whole - Be passed as amended—SJ 359

03/29/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 369

04/03/2023 House—Received and Introduced—HJ 594

04/04/2023 House—Referred to Committee on Health and Human Services—HJ 610

03/19/2024 House—Committee Report recommending substitute bill be passed by Committee on Health and Human Services—HJ 2250

03/25/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2297

03/25/2024 House—Committee of the Whole - Amendment by Representative Bryce was adopted—HJ 2297

03/25/2024 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2297

03/26/2024 House—Final Action - Substitute passed as amended; Yea: 85 Nay: 37—HJ 2308

04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Gossage, Senator Erickson and Senator Pettey as conferees—SJ 1841

04/02/2024 House—Motion to accede adopted; Representative Landwehr, Representative Eplee and Representative Ruiz, S. appointed as conferees—HJ 2415

04/05/2024 House—Conference Committee Report was adopted; Yea: 109 Nay: 10—HJ 3307

04/29/2024 Senate—Conference Committee Report not adopted; Senator Gossage, Senator Erickson and Senator Pettey appointed as second conferees—SJ 2775

04/29/2024 House—Motion to accede adopted; Representative Landwehr, Representative Eplee and Representative Ruiz, S. appointed as second conferees—HJ 3415

04/30/2024 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —HJ 3509

04/30/2024 House—Conference Committee Report was adopted; Yea: 111 Nay: 10—HJ 3509

04/30/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;

04/30/2024 Senate—Conference Committee Report was adopted; Yea: 26 Nay: 10

04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, May 7, 2024

04/30/2024 Senate—Approved by Governor on Friday, May 10, 2024

S 288

Bill by Federal and State Affairs

Authorizing certain individuals with revoked driver's licenses to be eligible for restricted driving privileges.

03/02/2023 Senate—Introduced—SJ 205

03/03/2023 Senate—Referred to Committee on Judiciary—SJ 208

04/30/2024 Senate—Died in Committee

S 289

Bill by Federal and State Affairs

Permitting functional incapacitation release and terminal medical condition release for persons sentenced to imprisonment for an off-grid offense and extending terminal medical condition release to inmates in the custody of the secretary of corrections with a condition likely to cause death within 180 days.

03/02/2023 Senate—Introduced—SJ 205

03/03/2023 Senate—Referred to Committee on Judiciary—SJ 208

04/30/2024 Senate—Died in Committee

S 290

Bill by Federal and State Affairs

Requiring a presidential preference primary election to be held on the first Tuesday following the first Monday in May every fourth year and changing the primary election date for all primary elections to the first Tuesday following the first Monday in May.

03/02/2023 Senate—Introduced—SJ 205

03/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 208

04/30/2024 Senate—Died in Committee

S 291

Bill by Legislative Modernization

House Substitute for SB 291 by Committee on Legislative Modernization - Transferring all cybersecurity services under the chief information technology officer of each branch of government, creating chief information security officers within the judicial and legislative branches, requiring a chief information security officer to be appointed by the attorney general, Kansas bureau of investigation, secretary of state, state treasurer and insurance commissioner and requiring the chief information security officers to implement certain minimum cybersecurity standards, requiring the information technology executive council to develop a plan to integrate executive branch information technology services under the executive chief information technology officer, making and concerning appropriations for the fiscal years ending June 30, 2025, and June 30, 2026, for the office of information technology, Kansas information security office and the adjutant general, authorizing certain transfers and imposing certain limitations and restrictions and directing or authorizing certain disbursements and procedures for all state agencies and requiring legislative review of state agencies not in compliance with this act.

03/06/2023 Senate—Introduced—SJ 210

03/06/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 211

03/06/2023 Senate—Hearing: (proponents) Tuesday, March 7, 2023, 10:30 AM Room 144-S

03/15/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 239

03/21/2023 Senate—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—SJ 270

03/23/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 290

03/27/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 328

03/27/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 328

03/27/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 330

03/28/2023 Senate—Final Action - Passed as amended; Yea: 29 Nay: 11—SJ 347

03/29/2023 House—Received and Introduced—HJ 566

04/03/2023 House—Referred to Committee on Financial Institutions and Pensions—HJ 594

- 03/19/2024 House—Withdrawn from Committee on Financial Institutions and Pensions; Referred to Committee on Legislative Modernization—HJ 1966
- 03/22/2024 House—Committee Report recommending substitute bill be passed by Committee on Legislative Modernization—HJ 2280
- 03/25/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2286
- 03/25/2024 House—Committee of the Whole - Amendment by Representative Carpenter, B. was adopted—HJ 2287
- 03/25/2024 House—Committee of the Whole - Amendment by Representative Carpenter, B. was adopted—HJ 2287
- 03/25/2024 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2287
- 03/26/2024 House—Final Action - Substitute passed as amended; Yea: 118 Nay: 5—HJ 2309
- 03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Thompson, Senator Kloos and Senator Pittman as conferees—SJ 1823
- 04/01/2024 House—Motion to accede adopted; Representative Wasinger, Representative Carpenter, B. and Representative Stogsdill appointed as conferees—HJ 2402
- 04/26/2024 House—Representative Howerton is appointed to replace Representative Carpenter, B. on the Conference Committee—HJ 3359
- 04/26/2024 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;—HJ 3364
- 04/26/2024 House—Motion to suspend rule 1502 adopted;—HJ 3412
- 04/26/2024 House—Conference Committee Report was adopted; Yea: 113 Nay: 1—HJ 3391
- 04/29/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;—SJ 2768
- 04/29/2024 Senate—Conference Committee Report was adopted; Yea: 27 Nay: 9—SJ 2796
- 04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, May 7, 2024
- 04/30/2024 Senate—Approved by Governor on Thursday, May 9, 2024

S 292

Bill by Federal and State Affairs

Updating statutes related to the Kansas army and air national guard, providing for the appointment of a state judge advocate, providing for the adjustment of death and disability benefits and updating the Kansas code of military justice relating to certain definitions, unlawful acts and punishment requirements thereof.

- 03/06/2023 Senate—Introduced—SJ 211
- 03/07/2023 Senate—Referred to Committee on Judiciary—SJ 214
- 01/31/2024 Senate—Hearing: Thursday, February 8, 2024, 10:30 AM Room 346-S
- 02/13/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1498
- 02/19/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1533
- 02/19/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1533
- 02/20/2024 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1542
- 02/22/2024 House—Received and Introduced—HJ 1850
- 02/23/2024 House—Referred to Committee on Veterans and Military—HJ 1868
- 02/28/2024 House—Hearing: Tuesday, March 5, 2024, 9:00 AM Room 281-N
- 03/11/2024 House—Committee Report recommending bill be passed as amended by Committee on Veterans and Military—HJ 1920
- 03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2297
- 03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2297
- 03/26/2024 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 2310
- 03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 1823

04/01/2024 House—Motion to accede adopted; Representative Ellis, Representative Carpenter, B. and Representative Weigel appointed as conferees—HJ 2402
 04/05/2024 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 3087
 04/05/2024 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—SJ 2398
 04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024
 04/25/2024 Senate—Approved by Governor on Tuesday, April 23, 2024

- S 293** Bill by Assessment and Taxation
Crediting tax revenue generated from wagers made on historical horse races to the horse breeding development fund and the horse fair racing benefit fund.
 03/06/2023 Senate—Introduced—SJ 211
 03/07/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 214
 04/30/2024 Senate—Died in Committee
- S 294** Bill by Ways and Means
Increasing the amount of state moneys distributed to local health departments.
 03/06/2023 Senate—Introduced—SJ 211
 03/07/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 214
 04/30/2024 Senate—Died in Committee
- S 295** Bill by Ways and Means
Authorizing the continuation of the 20 mill statewide property tax levy for schools.
 03/06/2023 Senate—Introduced—SJ 211
 03/07/2023 Senate—Referred to Committee on Ways and Means—SJ 214
 03/09/2023 Senate—Hearing: Wednesday, March 15, 2023, 10:30 AM Room 548-S
 03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 303
 03/28/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 365
 01/10/2024 Senate—Motion to strike from Calendar adopted;—SJ 1384
- S 296** Bill by Federal and State Affairs
Prohibiting persons in charge of a building from requiring off-duty police officers carrying a concealed handgun from providing certain personal information or wearing anything identifying such persons as a law enforcement officer or as being armed.
 03/07/2023 Senate—Introduced—SJ 213
 03/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 216
 04/30/2024 Senate—Died in Committee
- S 297** Bill by Federal and State Affairs
Revising the definition of "abortion" to clarify procedures that are excluded from such definition.
 03/07/2023 Senate—Introduced—SJ 213
 03/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 216
 03/16/2023 Senate—Hearing: Monday, March 20, 2023, 8:30 AM Room 142-S
 03/21/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 270
 03/28/2023 Senate—Committee of the Whole - Be passed—SJ 359
 03/29/2023 Senate—Final Action - Passed; Yea: 29 Nay: 11—SJ 369
 04/03/2023 House—Received and Introduced—HJ 594
 04/04/2023 House—Referred to Committee on Health and Human Services—HJ 610
 04/30/2024 House—Died in House Committee

BILLS 62

- S 298** Bill by Federal and State Affairs
Providing for child support orders for unborn children with a detectable heartbeat.
03/07/2023 Senate—Introduced—SJ 214
03/08/2023 Senate—Referred to Committee on Judiciary—SJ 216
04/30/2024 Senate—Died in Committee
- S 299** Bill by Federal and State Affairs
Providing a Kansas exemption for state income tax purposes for an unborn child with a detectable heartbeat.
03/07/2023 Senate—Introduced—SJ 214
03/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 216
01/17/2024 Senate—Hearing: Thursday, January 25, 2024, 9:30 AM Room 548-S
04/30/2024 Senate—Died in Committee
- S 300** Bill by Taxation
House Substitute for SB 300 by Committee on Taxation - Modifying income tax rates for individuals, increasing the standard deduction and the Kansas personal exemption, increasing the income limit for an income tax subtraction modification for social security income, increasing the extent of property tax exemption for residential property from the statewide school levy, decreasing the privilege tax normal tax rate, abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund, providing for certain transfers to the special city and county highway fund and decreasing the rate of ad valorem tax imposed by a school district.
03/07/2023 Senate—Introduced—SJ 214
03/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 216
03/08/2023 Senate—Hearing: Tuesday, March 14, 2023, 9:30 AM Room 548-S
03/16/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 255
03/27/2023 Senate—Committee of the Whole - Be passed—SJ 324
03/28/2023 Senate—Final Action - Passed; Yea: 34 Nay: 6—SJ 348
03/29/2023 House—Received and Introduced—HJ 566
04/03/2023 House—Referred to Committee on Taxation—HJ 594
03/25/2024 House—Committee Report recommending substitute bill be passed by Committee on Taxation—HJ 2295
03/26/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2328
03/26/2024 House—Committee of the Whole - Amendment by Representative Sawyer was rejected Yea: 35 Nay: 78—HJ 2328
03/26/2024 House—Committee of the Whole - Amendment by Representative Sawyer was adopted—HJ 2339
03/26/2024 House—Committee of the Whole - Amendment by Representative Corbet was adopted—HJ 2339
03/26/2024 House—Committee of the Whole - Amendment by Representative Howerton was adopted—HJ 2339
03/26/2024 House—Committee of the Whole - Amendment by Representative Hoheisel was adopted—HJ 2347
03/26/2024 House—Committee of the Whole - Amendment by Representative Murphy was rejected—HJ 2348
03/26/2024 House—Committee of the Whole - Amendment by Representative Murphy was rejected—HJ 2348
03/26/2024 House—Committee of the Whole - Amendment by Representative Poetter Parshall was rejected—HJ 2348
03/26/2024 House—Committee of the Whole - Amendment by Representative Poetter Parshall was rejected—HJ 2348
03/26/2024 House—Committee of the Whole - Amendment by Representative Poetter Parshall was rejected—HJ 2348

03/26/2024 House—Committee of the Whole - Amendment by Representative Poetter Parshall was rejected—HJ 2348
 03/26/2024 House—Committee of the Whole - Amendment by Representative Woodard was rejected Yea: 36 Nay: 76—HJ 2348
 03/26/2024 House—Committee of the Whole - Amendment by Representative Miller, V. was rejected Yea: 39 Nay: 75—HJ 2353
 03/26/2024 House—Committee of the Whole - Amendment by Representative Miller, V. was rejected Yea: 39 Nay: 77—HJ 2356
 03/26/2024 House—Committee of the Whole - Substitute bill be passed as amended—HJ 2357
 03/27/2024 House—Final Action - Substitute passed as amended; Yea: 123 Nay: 0—HJ 2369
 03/27/2024 Senate—Ruled materially changed, referred to Committee on Assessment and Taxation—SJ 1833
 04/30/2024 Senate—Died in Committee

S 301

Bill by Ways and Means

Requiring annual filing of a statement of substantial interest by local governmental officers and employees, exempting elected or appointed officers of townships or school districts from such requirements absent a change in substantial interests of such officers.

03/07/2023 Senate—Introduced—SJ 214
 03/08/2023 Senate—Referred to Committee on Transparency and Ethics—SJ 216
 03/10/2023 Senate—Hearing: Wednesday, March 15, 2023, 9:30 AM Room 142-S
 03/22/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 281
 03/28/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 360
 03/28/2023 Senate—Committee of the Whole - Amendment by Senator Francisco was adopted—SJ 360
 03/28/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 360
 03/29/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 370
 04/03/2023 House—Received and Introduced—HJ 594
 04/04/2023 House—Referred to Committee on Elections—HJ 610
 04/30/2024 House—Died in House Committee

S 302

Bill by Federal and State Affairs

Suspending fidfin transactions, custodial services and trust business of technology-enabled fiduciary financial institutions until the legislature expressly consents to and approves such activities by an act of the legislature and requiring the legislature to conduct a forensic audit of technology-enabled fiduciary financial institutions.

03/08/2023 Senate—Introduced—SJ 215
 03/09/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 221
 02/21/2024 Senate—Motion to withdraw from Committee on Financial Institutions and Insurance was not adopted.—SJ 1556
 04/30/2024 Senate—Died in Committee

S 303

Bill by Federal and State Affairs

Establishing the Kansas legal tender act and providing for an income tax subtraction modification for sales of specie.

03/08/2023 Senate—Introduced—SJ 215
 03/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 221
 03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 10:30 AM Room 144-S
 03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 290
 03/29/2023 Senate—Committee of the Whole - Passed over and retain a place on the

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calendar—SJ 386

01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—SJ 1382

01/22/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1426

04/30/2024 Senate—Died on Calendar

S 304 Bill by Federal and State Affairs

Authorizing the state board of education to establish a new unified school district, if necessary, for the attachment of territory of a school district disorganized via voter petition and providing for administrative and judicial review of resolutions to permanently close a public school building.

03/08/2023 Senate—Introduced—SJ 215

03/09/2023 Senate—Referred to Committee on Education—SJ 221

03/10/2023 Senate—Hearing: Thursday, March 16, 2023, 1:30 PM Room 144-S

04/30/2024 Senate—Died in Committee

S 305 Bill by Federal and State Affairs

Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists.

03/08/2023 Senate—Introduced—SJ 215

03/09/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 221

02/23/2024 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 1593

02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 1596

04/30/2024 Senate—Died in Committee

S 306 Bill by Assessment and Taxation

Including losses from investments in technology-enabled fiduciary financial institutions in Kansas adjusted gross income for income tax purposes.

03/08/2023 Senate—Introduced—SJ 215

03/09/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 221

01/24/2024 Senate—Hearing: Thursday, February 1, 2024, 9:30 AM Room 548-S

03/26/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation

03/26/2024 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1802

04/30/2024 Senate—Died in Committee

S 307 Bill by Ways and Means

Adding for-profit private entity to the definition of "qualified applicant" in the Kansas fights addiction act.

03/09/2023 Senate—Introduced—SJ 220

03/10/2023 Senate—Referred to Committee on Ways and Means—SJ 227

03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 10:30 AM Room 548-S

03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 303

03/28/2023 Senate—Committee of the Whole - Be passed—SJ 361

03/29/2023 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 370

04/03/2023 House—Received and Introduced—HJ 594

04/04/2023 House—Referred to Committee on Corrections and Juvenile Justice—HJ 610

01/09/2024 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Appropriations—HJ 1571

01/24/2024 House—Hearing: Tuesday, January 30, 2024, 9:00 AM Room 112-N

02/15/2024 House—Committee Report recommending bill be passed as amended by

Committee on Appropriations—HJ 1765

03/05/2024 House—Committee of the Whole - Committee Report be adopted—HJ 1883

03/05/2024 House—Committee of the Whole - Be passed as amended—HJ 1883

03/06/2024 House—Final Action - Passed as amended; Yea: 91 Nay: 27—HJ 1890

03/14/2024 Senate—Concurred with amendments; Yea: 39 Nay: 1—SJ 1705

03/19/2024 Senate—Enrolled and presented to Governor on Tuesday, March 19, 2024—
SJ 1733

03/25/2024 Senate—Approved by Governor on Friday, March 22, 2024

S 308 Bill by Ways and Means

Establishing a state employment preference for persons with disabilities and expanding the veterans preference to include remarried spouses of a deceased veteran who died while, and as a result of, serving in the armed forces and surviving spouses, whether remarried or not remarried of a prisoner of war.

03/09/2023 Senate—Introduced—SJ 220

03/10/2023 Senate—Referred to Committee on Ways and Means—SJ 227

03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 10:30 AM Room 548-S

03/23/2023 Senate—Committee Report recommending bill be passed by Committee on
Ways and Means—SJ 303

04/30/2024 Senate—Died on Calendar

S 310 Bill by Federal and State Affairs

Creating the medical cannabis regulation act to regulate the cultivation, processing, distribution, sale and use of medical cannabis.

03/13/2023 Senate—Introduced—SJ 228

03/14/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 230

04/30/2024 Senate—Died in Committee

S 311 Bill by Assessment and Taxation

Excluding internal revenue code section 1031 exchange, build-to-suit and sale-leaseback arrangement transactions as indicators of fair market value for property tax valuation purposes.

03/14/2023 Senate—Introduced—SJ 230

03/15/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 236

03/15/2023 Senate—Hearing: Wednesday, March 22, 2023, 9:30 AM Room 548-S

03/22/2023 Senate—Hearing: Thursday, March 23, 2023, 9:30 AM Room 548-S

03/24/2023 Senate—Committee Report recommending bill be passed by Committee on
Assessment and Taxation—SJ 304

01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment
and Taxation—SJ 1382

03/13/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Assessment and Taxation—SJ 1653

03/14/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1659

03/14/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1659

03/14/2024 Senate—Emergency Final Action - Passed as amended; Yea: 21 Nay: 19—SJ
1707

03/18/2024 House—Received and Introduced—HJ 1961

03/19/2024 House—Referred to Committee on Taxation—HJ 1966

04/30/2024 House—Died in House Committee

S 312 Bill by Assessment and Taxation

Requiring the approval of the board of county commissioners prior to the exercise of the power of eminent domain by certain public utilities.

03/14/2023 Senate—Introduced—SJ 230

03/15/2023 Senate—Referred to Committee on Local Government—SJ 236

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03/15/2023 Senate—Hearing: Thursday, March 23, 2023, 9:30 AM Room 142-S
04/30/2024 Senate—Died in Committee

S 313 Bill by Assessment and Taxation
Clarifying the determination of taxable income and providing for the passing through of tax credits to electing pass-through entity owners for purposes of the salt parity act.

03/15/2023 Senate—Introduced—SJ 233
03/16/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 243
03/16/2023 Senate—Hearing: Wednesday, March 22, 2023, 9:30 AM Room 548-S
03/24/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 305
01/09/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment and Taxation—SJ 1382
04/30/2024 Senate—Died in Committee

S 314 Bill by Federal and State Affairs
Prohibiting the secretary of health and environment from requiring COVID-19 vaccination for children attending a child care facility or school.

03/15/2023 Senate—Introduced—SJ 233
03/16/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 243
03/16/2023 Senate—Hearing: Wednesday, March 22, 2023, 8:30 AM Room 142-S
03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 298
03/28/2023 Senate—Committee of the Whole - Be passed—SJ 359
03/29/2023 Senate—Final Action - Passed; Yea: 24 Nay: 16—SJ 371
04/03/2023 House—Received and Introduced—HJ 594
04/04/2023 House—Referred to Committee on Health and Human Services—HJ 610
04/30/2024 House—Died in House Committee

S 315 Bill by Federal and State Affairs
Requiring child care facilities, elementary, secondary and postsecondary educational institutions and employers to grant exemptions from vaccine requirements without inquiring into the sincerity of the request and repealing the meningitis vaccine requirement to live in student housing.

03/15/2023 Senate—Introduced—SJ 233
03/16/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 243
03/16/2023 Senate—Hearing: Tuesday, March 21, 2023, 8:30 AM Room 142-S
03/24/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 308
03/28/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 362
03/28/2023 Senate—Committee of the Whole - Be passed as amended—SJ 362
03/29/2023 Senate—Final Action - Passed as amended; Yea: 22 Nay: 18—SJ 371
04/03/2023 House—Received and Introduced—HJ 594
04/04/2023 House—Referred to Committee on Health and Human Services—HJ 610
04/30/2024 House—Died in House Committee

S 316 Bill by Ways and Means
Authorizing a comprehensive grant program for not-for-profit independent institutions of higher education to be administered by the treasurer.

03/16/2023 Senate—Introduced—SJ 242
03/17/2023 Senate—Referred to Committee on Education—SJ 262
04/30/2024 Senate—Died in Committee

S 317 Bill by Federal and State Affairs
Permitting a prosecution for childhood sexual abuse to be commenced at any time,

extending the time to file civil actions for recovery of damages caused by childhood sexual abuse and providing exceptions in the Kansas tort claims act for claims arising from such abuse.

03/16/2023 Senate—Introduced—SJ 242
 03/17/2023 Senate—Referred to Committee on Judiciary—SJ 262
 03/21/2023 Senate—Hearing: Thursday, March 23, 2023, 10:30 AM Room 346-S
 04/30/2024 Senate—Died in Committee

S 318 Bill by Corrections and Juvenile Justice
House Substitute for SB 318 by Committee on Corrections and Juvenile Justice - Creating an inference of an intent to distribute a controlled substance based on the quantity of the substance possessed instead of a rebuttable presumption.

03/16/2023 Senate—Introduced—SJ 242
 03/17/2023 Senate—Referred to Committee on Judiciary—SJ 262
 01/17/2024 Senate—Hearing: Tuesday, January 23, 2024, 10:30 AM Room 346-S
 02/08/2024 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1488
 02/21/2024 Senate—Committee of the Whole - Amendment by Senator Olson was adopted—SJ 1556
 02/21/2024 Senate—Committee of the Whole - Amendment by Senator Warren was adopted—SJ 1557
 02/21/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1556
 02/22/2024 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1581
 02/28/2024 House—Received and Introduced—HJ 1871
 02/29/2024 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1874
 02/29/2024 House—Hearing: Wednesday, March 6, 2024, 1:30 PM Room 546-S
 03/25/2024 House—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—HJ 2287
 03/27/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2374
 03/27/2024 House—Committee of the Whole - Substitute bill be passed—HJ 2374
 03/27/2024 House—Emergency Final Action - Substitute passed; Yea: 122 Nay: 0—HJ 2382
 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 1841
 04/02/2024 House—Motion to accede adopted; Representative Owens, Representative Smith, E. and Representative Carmichael appointed as conferees—HJ 2415
 04/30/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
 04/30/2024 Senate—Concurred with amendments in conference; Yea: 39 Nay: 0
 04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, May 7, 2024
 04/30/2024 Senate—Approved by Governor on Thursday, May 9, 2024

S 319 Bill by Ways and Means
Establishing the alternatives to abortion program to provide resources and promote childbirth to women facing unplanned pregnancies.

03/21/2023 Senate—Introduced—SJ 266
 03/22/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 273
 04/30/2024 Senate—Died in Committee

S 320 Bill by Ways and Means
Creating the born-alive infants protection act to provide legal protections for infants who are born alive regardless of the intent of the delivery.

03/21/2023 Senate—Introduced—SJ 266
 03/22/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 273

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04/30/2024 Senate—Died in Committee

- S 321** Bill by Federal and State Affairs
Providing for a presidential preference primary election on March 19, 2024, and establishing voter registration and voting procedures for such election.

03/21/2023 Senate—Introduced—SJ 266

03/21/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 271

03/21/2023 Senate—Hearing: Thursday, March 23, 2023, 10:30 AM Room 144-S

04/30/2024 Senate—Died in Committee

- S 322** Bill by Federal and State Affairs
Authorizing any gaming compact regarding sports wagering to include provisions governing sports wagering outside the boundaries of Indian lands.

03/23/2023 Senate—Introduced—SJ 282

03/24/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 304

03/24/2023 Senate—Hearing: Monday, March 27, 2023, 12:15 PM Room 144-S

04/30/2024 Senate—Died in Committee

- S 323** Bill by Assessment and Taxation
Providing for the election of county appraisers.

03/24/2023 Senate—Introduced—SJ 304

03/27/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 321

04/30/2024 Senate—Died in Committee

- S 324** Bill by Ways and Means
Creating the legislative help grant fund, establishing legislative help grants, state representative grants and state senator grants for cities and counties and prescribing procedures, requirements and limitations for such grants.

04/05/2023 Senate—Introduced—SJ 416

04/06/2023 Senate—Referred to Committee on Ways and Means—SJ 472

04/30/2024 Senate—Died in Committee

- S 325** Bill by Ways and Means
Establishing the transformation of passenger and freight vehicle industry program to attract businesses engaged in electric motor vehicle and hydrogen-powered vehicle production by offering qualified companies that meet certain requirements an investment tax credit, retention of a percentage of total payroll tax, reimbursement of a percentage of eligible employee training and education expenses and a sales tax exemption for construction costs of the qualified company's qualified business facility.

04/06/2023 Senate—Introduced—SJ 471

04/24/2023 Senate—Referred to Committee on Commerce—SJ 1085

04/25/2023 Senate—Hearing: Wednesday, April 26, 2023, 8:00 AM Room 546-S

04/30/2024 Senate—Died in Committee

- S 326** Bill by Ways and Means
Making and concerning appropriations for FY 23 and FY 24 for the department of administration for an income tax rebate to certain Kansas resident taxpayers.

04/26/2023 Senate—Introduced—SJ 1089

04/27/2023 Senate—Referred to Committee on Ways and Means—SJ 1119

04/30/2024 Senate—Died in Committee

- S 327** Bill by Senator Holland
Excluding social security payments from household income and increasing the

appraised value threshold for eligibility of seniors and disabled veterans related to increased property tax homestead claims and citing the section as the golden years homestead property tax freeze program.

01/08/2024 Senate—Prefiled for Introduction on Thursday, December 14, 2023
 01/08/2024 Senate—Introduced—SJ 1369
 01/09/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1382
 04/30/2024 Senate—Died in Committee

S 328 Bill by Senator Holland
Prohibiting legislators from accepting any state employment and the lieutenant governor from employment as a state agency head.

01/08/2024 Senate—Prefiled for Introduction on Thursday, December 14, 2023
 01/08/2024 Senate—Introduced—SJ 1370
 01/09/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1382
 02/21/2024 Senate—Motion to withdraw from Committee on Federal and State Affairs not adopted—SJ 1556
 04/30/2024 Senate—Died in Committee

S 329 Bill by Senator Holland
Discontinuing the angel investor tax credit program after 2024.

01/08/2024 Senate—Prefiled for Introduction on Thursday, December 14, 2023
 01/08/2024 Senate—Introduced—SJ 1370
 01/09/2024 Senate—Referred to Committee on Commerce—SJ 1382
 04/30/2024 Senate—Died in Committee

S 330 Bill by Legislative Post Audit Committee
Eliminating the requirement to conduct a recurring 911 implementation audit, a recurring KPERS audit and certain economic development incentive audits.

01/08/2024 Senate—Prefiled for Introduction on Tuesday, January 2, 2024
 01/08/2024 Senate—Introduced—SJ 1370
 01/09/2024 Senate—Referred to Committee on Ways and Means—SJ 1382
 02/01/2024 Senate—Withdrawn from Committee on Ways and Means; Referred to Committee on Commerce—SJ 1471
 04/30/2024 Senate—Died in Committee

S 331 Bill by Senator Kerschen
Removing the definition of lead-free and an exception for leaded joints in the public water supply systems law and updating terminology relating to hazardous waste generated by certain persons.

01/08/2024 Senate—Prefiled for Introduction on Friday, January 5, 2024
 01/08/2024 Senate—Introduced—SJ 1370
 01/09/2024 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1382
 01/16/2024 Senate—Hearing: Tuesday, January 23, 2024, 8:30 AM Room 144-S
 01/25/2024 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture and Natural Resources—SJ 1444
 01/31/2024 Senate—Consent Calendar Passed Yea: 34 Nay: 0—SJ 1460
 02/01/2024 House—Received and Introduced—HJ 1688
 02/02/2024 House—Referred to Committee on Agriculture and Natural Resources—HJ 1694
 03/04/2024 House—Withdrawn from Committee on Agriculture and Natural Resources; Referred to Committee on Water—HJ 1880
 03/04/2024 House—Hearing: Thursday, March 7, 2024, 9:00 AM Room 218-N
 03/07/2024 House—Committee Report recommending bill be passed by Committee on

BILLS 70

Water—HJ 1912

03/25/2024 House—Committee of the Whole - Be passed—HJ 2297

03/26/2024 House—Final Action - Passed; Yea: 122 Nay: 1—HJ 2311

04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ 1848

04/04/2024 Senate—Approved by Governor on Thursday, April 4, 2024—SJ 1871

S 332 Bill by Senator Olson

Providing for the distribution of local ad valorem tax reduction fund (LAVTRF) moneys from the state to residential property taxpayers in the form of rebates.

01/08/2024 Senate—Introduced—SJ 1370

01/09/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1382

02/07/2024 Senate—Hearing: Tuesday, February 13, 2024, 9:30 AM Room 548-S

04/30/2024 Senate—Died in Committee

S 333 Bill by Federal and State Affairs

Providing hiring, promotion and retention preferences for persons with disabilities for certain state executive branch positions and extending the expiration provision for the state use law committee.

01/11/2024 Senate—Introduced—SJ 1387

01/12/2024 Senate—Referred to Committee on Commerce—SJ 1390

02/15/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 1529

02/20/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1539

02/20/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1539

02/21/2024 Senate—Final Action - Passed as amended; Yea: 38 Nay: 2—SJ 1558

02/22/2024 House—Received and Introduced—HJ 1850

02/23/2024 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1868

02/28/2024 House—Hearing: Tuesday, March 5, 2024, 1:30 PM Room 346-S

03/12/2024 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 1924

03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2298

03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2298

03/26/2024 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 2311

04/02/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Erickson, Senator Dietrich and Senator Reddi as conferees—SJ 1847

04/02/2024 House—Motion to accede adopted; Representative Tarwater, Representative Borjon and Representative Probst appointed as conferees—HJ 2416

04/05/2024 Senate—Concurred with amendments in conference; Yea: 36 Nay: 1—SJ 2058

04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024

04/25/2024 Senate—Approved by Governor on Wednesday, April 24, 2024

S 334 Bill by Transportation

Designating the Abilene & Smoky Valley Railroad as the official state heritage railroad.

01/11/2024 Senate—Introduced—SJ 1388

01/12/2024 Senate—Referred to Committee on Transportation—SJ 1390

04/30/2024 Senate—Died in Committee

S 335 Bill by Transportation

Increasing penalties and creating a crime for injuring or causing death of certain authorized emergency vehicle operators for unlawful passing of stationary

authorized emergency vehicle.

01/11/2024 Senate—Introduced—SJ 1388
 01/12/2024 Senate—Referred to Committee on Transportation—SJ 1390
 04/30/2024 Senate—Died in Committee

S 336

Bill by Agriculture and Natural Resources

Removing the requirement for underground storage tank operating permits to be obtained annually.

01/11/2024 Senate—Introduced—SJ 1388
 01/12/2024 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1390
 01/18/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources
 01/19/2024 Senate—Hearing: Tuesday, January 16, 2024, 8:30 AM Room 144-S
 02/13/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1497
 02/13/2024 Senate—Committee of the Whole - Be passed as amended
 02/15/2024 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1525
 02/19/2024 House—Received and Introduced—HJ 1779
 02/20/2024 House—Referred to Committee on Agriculture and Natural Resources—HJ 1789
 02/21/2024 House—Hearing: Thursday, February 29, 2024, 3:30 PM Room 112-N
 03/07/2024 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture and Natural Resources—HJ 1906
 03/14/2024 House—Final Action - Passed; Yea: 121 Nay: 1—HJ 1948
 03/19/2024 Senate—Enrolled and presented to Governor on Tuesday, March 19, 2024—SJ 1733
 03/25/2024 Senate—Approved by Governor on Friday, March 22, 2024

S 337

Bill by Transportation

Designating the Atchison, Topeka and Santa Fe #3415 as the official state steam locomotive.

01/11/2024 Senate—Introduced—SJ 1388
 01/12/2024 Senate—Referred to Committee on Transportation—SJ 1390
 04/30/2024 Senate—Died in Committee

S 338

Bill by Financial Institutions and Insurance

Changing certain reporting requirements of group-funded liability and workers compensation pools.

01/11/2024 Senate—Introduced—SJ 1388
 01/12/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1390
 01/17/2024 Senate—Hearing: Tuesday, January 23, 2024, 9:30 AM Room 546-S
 02/15/2024 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1529
 02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
 02/22/2024 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1582
 02/22/2024 House—Received and Introduced—HJ 1866
 02/23/2024 House—Referred to Committee on Financial Institutions and Pensions—HJ 1868
 02/28/2024 House—Withdrawn from Committee on Financial Institutions and Pensions; Referred to Committee on Insurance—HJ 1870
 02/28/2024 House—Hearing: Monday, March 4, 2024, 3:30 PM Room 218-N
 03/05/2024 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 1883
 03/07/2024 House—Committee of the Whole - Committee Report be adopted—HJ 1903
 03/07/2024 House—Committee of the Whole - Be passed as amended—HJ 1903

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- 03/07/2024 House—Emergency Final Action - Passed as amended; Yea: 103 Nay: 17—HJ 1904
03/07/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 1629
03/12/2024 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 1923
04/30/2024 Senate—Died in Conference

S 339 Bill by Financial Institutions and Insurance

Prohibiting the state department of education from distributing or expending state foundation aid moneys in fiscal year 2025 to a school district that has no students enrolled in and attending school in such school district in school year 2024-2025.

- 01/11/2024 Senate—Introduced—SJ 1388
01/12/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1390
01/17/2024 Senate—Hearing: Tuesday, January 23, 2024, 9:30 AM Room 546-S
02/15/2024 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1529
02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
02/22/2024 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1582
02/22/2024 House—Received and Introduced—HJ 1866
02/23/2024 House—Referred to Committee on Financial Institutions and Pensions—HJ 1868
02/28/2024 House—Withdrawn from Committee on Financial Institutions and Pensions; Referred to Committee on Insurance—HJ 1870
02/28/2024 House—Hearing: Monday, March 4, 2024, 3:30 PM Room 218-N
03/05/2024 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 1883
03/07/2024 House—Committee of the Whole - Committee Report be adopted—HJ 1903
03/07/2024 House—Committee of the Whole - Be passed as amended—HJ 1903
03/07/2024 House—Emergency Final Action - Passed as amended; Yea: 103 Nay: 17—HJ 1904
03/07/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 1629
03/12/2024 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 1923
04/30/2024 Senate—Senator Baumgardner, Senator Erickson, and Senator Sykes are appointed to replace Senator Longbine, Senator Fagg, and Senator Holscher on the Conference Committee
04/30/2024 House—Representative Williams, K., Representative Goetz, and Representative Ousley are appointed to replace Representative Sutton, Representative Penn, and Representative Neighbor on the Conference Committee—HJ 3520
04/30/2024 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —HJ 3575
04/30/2024 House—Conference Committee Report was adopted; Yea: 117 Nay: 2—HJ 3575
04/30/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
04/30/2024 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 3
04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, May 7, 2024
04/30/2024 Senate—Approved by Governor on Thursday, May 9, 2024

S 340 Bill by Financial Institutions and Insurance

Removing automobile club from the definition of person for purposes of enforcing

penalties for violations of insurance law.

01/11/2024 Senate—Introduced—SJ 1388
 01/12/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1390
 01/17/2024 Senate—Hearing: Tuesday, January 23, 2024, 9:30 AM Room 546-S
 02/15/2024 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1529
 02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
 02/22/2024 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1582
 02/22/2024 House—Received and Introduced—HJ 1866
 02/23/2024 House—Referred to Committee on Insurance—HJ 1868
 02/28/2024 House—Hearing: Monday, March 4, 2024, 3:30 PM Room 218-N
 03/05/2024 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 1883
 03/13/2024 House—Committee of the Whole - Committee Report be adopted—HJ 1938
 03/13/2024 House—Motion to accede adopted; Representative Sutton, Representative Clifford and Representative Neighbor appointed as conferees—HJ 1938
 03/14/2024 House—Final Action - Passed as amended; Yea: 115 Nay: 7—HJ 1950
 03/18/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees
 03/19/2024 House—Motion to accede adopted; Representative Sutton, Representative Clifford and Representative Neighbor appointed as conferees—HJ 1966
 04/30/2024 Senate—Died in Conference

- S 341** Bill by Federal and State Affairs
Authorizing certain individuals with revoked driver's licenses to be eligible for restricted driving privileges and permitting such individuals to drive to and from dropping off or picking up children from school or child care.
 01/11/2024 Senate—Introduced—SJ 1388
 01/12/2024 Senate—Referred to Committee on Judiciary—SJ 1390
 04/30/2024 Senate—Died in Committee
- S 342** Bill by Federal and State Affairs
Providing for the Sedgwick county zoo distinctive license plate.
 01/11/2024 Senate—Introduced—SJ 1388
 01/12/2024 Senate—Referred to Committee on Transportation—SJ 1390
 01/24/2024 Senate—Hearing: Wednesday, January 31, 2024, 8:30 AM Room 546-S
 04/30/2024 Senate—Died in Committee
- S 343** Bill by Federal and State Affairs
Prohibiting the mailing of advance voting ballot applications to voters unless by a county election official pursuant to a request by the voter.
 01/12/2024 Senate—Introduced—SJ 1390
 01/16/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1393
 04/30/2024 Senate—Died in Committee
- S 344** Bill by Federal and State Affairs
Requiring voter verification of identity when returning an advance voting ballot.
 01/12/2024 Senate—Introduced—SJ 1390
 01/16/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1393
 04/30/2024 Senate—Died in Committee
- S 345** Bill by Federal and State Affairs
Enacting the commercial financing disclosure act.
 01/12/2024 Senate—Introduced—SJ 1390
 01/16/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1393

BILLS 74

01/17/2024 Senate—Hearing: Wednesday, January 24, 2024, 9:30 AM Room 546-S
02/15/2024 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1529
02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
02/22/2024 Senate—Final Action - Passed; Yea: 38 Nay: 2—SJ 1582
02/22/2024 House—Received and Introduced—HJ 1866
02/23/2024 House—Referred to Committee on Financial Institutions and Pensions—HJ 1868
03/06/2024 House—Hearing: Wednesday, March 13, 2024, 9:00 AM Room 582-N
03/19/2024 House—Committee Report recommending bill be passed by Committee on Financial Institutions and Pensions—HJ 2250
03/25/2024 House—Committee of the Whole - Be passed—HJ 2283
03/26/2024 House—Final Action - Passed; Yea: 115 Nay: 8—HJ 2312
04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ 1848
04/25/2024 Senate—Approved by Governor on Friday, April 12, 2024

S 346

Bill by Federal and State Affairs
Restricting who can propose rezoning amendments to city and county zoning regulations.

01/12/2024 Senate—Introduced—SJ 1390
01/16/2024 Senate—Referred to Committee on Local Government—SJ 1393
01/31/2024 Senate—Hearing: Tuesday, February 6, 2024, 9:30 AM Room 142-S
04/30/2024 Senate—Died in Committee

S 347

Bill by Agriculture and Natural Resources
Abolishing the current wildlife and parks; commission; creating a new Kansas wildlife and parks commission; granting appointment authority to multiple state officers; authorizing the commission to elect a chairperson.

01/16/2024 Senate—Introduced—SJ 1392
01/17/2024 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1395
01/17/2024 Senate—Hearing: Wednesday, January 24, 2024, 8:30 AM Room 144-S
02/07/2024 Senate—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—SJ 1484
02/13/2024 Senate—Committee of the Whole - Be passed—SJ 1497
02/15/2024 Senate—Final Action - Passed; Yea: 24 Nay: 16—SJ 1525
02/19/2024 House—Received and Introduced—HJ 1779
02/20/2024 House—Referred to Committee on Agriculture and Natural Resources Budget—HJ 1790
03/07/2024 House—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources Budget—HJ 1906
03/18/2024 House—Withdrawn from Calendar; Referred to Committee on Federal and State Affairs—HJ 1961
03/18/2024 House—Hearing: Wednesday, March 20, 2024, 9:00 AM Room 346-S
03/25/2024 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 2288
04/30/2024 House—Died on House Calendar

S 348

Bill by Ways and Means
Requiring that the appointment of the executive director of the Kansas children's cabinet be confirmed by the senate.

01/16/2024 Senate—Introduced—SJ 1393
01/17/2024 Senate—Referred to Committee on Education—SJ 1395
04/30/2024 Senate—Died in Committee

S 349

Bill by Judiciary

House Substitute for SB 349 by Committee on Judiciary - Continuing in existence certain exceptions to the disclosure of public records under the open records act.

- 01/16/2024 Senate—Introduced—SJ 1393
 01/17/2024 Senate—Referred to Committee on Transportation—SJ 1395
 01/31/2024 Senate—Hearing: Wednesday, February 7, 2024, 8:30 AM Room 546-S
 02/08/2024 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 1488
 02/13/2024 Senate—Committee of the Whole - Be passed—SJ 1497
 02/15/2024 Senate—Final Action - Passed; Yea: 34 Nay: 6—SJ 1525
 02/19/2024 House—Received and Introduced—HJ 1779
 02/20/2024 House—Referred to Committee on Transportation—HJ 1790
 03/21/2024 House—Withdrawn from Committee on Transportation; Referred to Committee on Judiciary—HJ 2270
 03/25/2024 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 2304
 03/27/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2375
 03/27/2024 House—Committee of the Whole - Substitute bill be passed—HJ 2375
 03/27/2024 House—Emergency Final Action - Substitute passed; Yea: 114 Nay: 8—HJ 2386
 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 1842
 04/01/2024 House—Motion to accede adopted; Representative Humphries, Representative Lewis and Representative Osman appointed as conferees—HJ 2406
 04/05/2024 Senate—Concurred with amendments in conference; Yea: 35 Nay: 0—SJ 2058
 04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024
 04/25/2024 Senate—Approved by Governor on Tuesday, April 23, 2024

S 350

Bill by Ways and Means

Adding for-profit private entity to the definition of "qualified applicant" in the Kansas fights addiction act and authorizing members of the Kansas fights addiction grant review board to be paid subsistence allowances, mileage and other expenses when attending meetings of the board after January 8, 2024.

- 01/16/2024 Senate—Introduced—SJ 1393
 01/17/2024 Senate—Referred to Committee on Ways and Means—SJ 1395
 04/30/2024 Senate—Died in Committee

S 351

Bill by Education

Establishing policy requirements for school safety and security and cardiac emergency response plans and providing grant programs for the implementation of such policies.

- 01/17/2024 Senate—Introduced—SJ 1394
 01/18/2024 Senate—Referred to Committee on Education—SJ 1421
 04/30/2024 Senate—Died in Committee

S 352

Bill by Health and Human Services

Enacting the no patient left alone act to require facilities to allow in-person visitation to certain patients at hospitals, adult care home and patient care facilities.

- 01/17/2024 Senate—Introduced—SJ 1394
 01/18/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1421

BILLS 76

01/31/2024 Senate—Hearing: Wednesday, February 7, 2024, 8:30 AM Room 142-S
02/21/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Public Health and Welfare—SJ 1575
02/22/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1579
02/22/2024 Senate—Committee of the Whole - Amendment by Senator O'Shea was
adopted Yea: 22 Nay: 18—SJ 1579
02/22/2024 Senate—Committee of the Whole - Be passed as further amended—SJ 1579
02/22/2024 Senate—Emergency Final Action - Passed as amended; Yea: 26 Nay: 13—SJ
1587
02/28/2024 House—Received and Introduced—HJ 1871
02/29/2024 House—Referred to Committee on Health and Human Services—HJ 1874
02/29/2024 House—Hearing: Tuesday, March 5, 2024, 1:30 PM Room 112-N
03/11/2024 House—Committee Report recommending substitute bill be passed by
Committee on Health and Human Services—HJ 1917
03/28/2024 House—Stricken from Calendar by Rule 1507—HJ 2399

S 353 Bill by Public Health and Welfare
**Creating a civil cause of action against a physician who performs childhood gender
reassignment service and requiring revocation of a physician's license who
performs childhood gender reassignment service.**
01/17/2024 Senate—Introduced—SJ 1395
01/18/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1421
04/30/2024 Senate—Died in Committee

S 354 Bill by Public Health and Welfare
**Designating facilities where elective abortions are performed as being ineligible to
purchase professional liability insurance from the healthcare stabilization
fund.**
01/17/2024 Senate—Introduced—SJ 1395
01/18/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1421
04/30/2024 Senate—Died in Committee

S 355 Bill by Ways and Means
**Expanding medical assistance eligibility and enacting the cutting healthcare costs
for all Kansans act.**
01/17/2024 Senate—Introduced—SJ 1395
01/19/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1423
04/26/2024 Senate—Motion to Withdraw from Committee on Public Health and Welfare
and refer to General Orders failed. Yea: 18 Nay: 17—SJ 2675
04/30/2024 Senate—Died in Committee

S 356 Bill by Financial Institutions and Insurance
**Updating certain terms, definitions and conditions relating to the requirements of
certain insurance reports, examinations and transactions.**
01/17/2024 Senate—Introduced—SJ 1395
01/18/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ
1421
01/24/2024 Senate—Hearing: Wednesday, January 31, 2024, 9:30 AM Room 546-S
02/15/2024 Senate—Committee Report recommending bill be passed by Committee on
Financial Institutions and Insurance—SJ 1529
02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
02/22/2024 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1583
02/22/2024 House—Received and Introduced—HJ 1866
02/23/2024 House—Referred to Committee on Insurance—HJ 1868
02/28/2024 House—Hearing: Monday, March 4, 2024, 3:30 PM Room 218-N
03/05/2024 House—Committee Report recommending bill be passed as amended by

Committee on Insurance—HJ 1883

- 03/07/2024 House—Committee of the Whole - Committee Report be adopted—HJ 1903
 03/07/2024 House—Committee of the Whole - Be passed as amended—HJ 1903
 03/07/2024 House—Emergency Final Action - Passed as amended; Yea: 109 Nay: 11—
 HJ 1905
 03/07/2024 Senate—Nonconcurrent with amendments; Conference Committee requested;
 appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—
 SJ 1629
 03/12/2024 House—Motion to accede adopted; Representative Sutton, Representative
 Penn and Representative Neighbor appointed as conferees—HJ 1923
 04/04/2024 House—Conference Committee Report was adopted; Yea: 118 Nay: 5—HJ
 2468
 04/04/2024 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 1—SJ
 1921
 04/25/2024 Senate—Enrolled and presented to Governor on Friday, April 12, 2024
 04/25/2024 Senate—Approved by Governor on Monday, April 22, 2024

S 357 Bill by Transportation
**Designating a portion of United States highway 81 as the Merle Miller memorial
 highway.**

- 01/17/2024 Senate—Introduced—SJ 1395
 01/18/2024 Senate—Referred to Committee on Transportation—SJ 1421
 01/31/2024 Senate—Hearing: Tuesday, February 6, 2024, 8:30 AM Room 546-S
 04/30/2024 Senate—Died in Committee

S 358 Bill by Federal and State Affairs
**Prohibiting school districts and local libraries from prohibiting, banning or
 restricting books or other media unless certain requirements are met.**

- 01/18/2024 Senate—Introduced—SJ 1419
 01/19/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1423
 04/30/2024 Senate—Died in Committee

S 359 Bill by Senators Warren, Alley, Bowers, Claeys, Corson, Dietrich, Fagg, Faust-Goudeau,
 Gossage, Kloos, Longbine, Masterson, Peck, Petersen, Pittman, Ryckman,
 Shallenburger, Thompson, Wilborn

**Providing for the Kansas City Chiefs, sporting Kansas City, Sedgwick county zoo,
 Kansas City royals, Kansas City current, Topeka zoo, support the troops
 and the first city of Kansas distinctive license plates and requiring certain
 license plates to have the county of registration for the motor vehicle
 identified on the license plate.**

- 01/18/2024 Senate—Introduced—SJ 1419
 01/19/2024 Senate—Referred to Committee on Transportation—SJ 1423
 01/24/2024 Senate—Hearing: Wednesday, January 31, 2024, 8:30 AM Room 546-S
 02/13/2024 Senate—Committee Report recommending bill be passed as amended by
 Committee on Transportation—SJ 1504
 02/20/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1539
 02/20/2024 Senate—Committee of the Whole - Amendment by Senator Olson was
 adopted—SJ 1539
 02/20/2024 Senate—Committee of the Whole - Amendment by Senator Sykes was
 adopted—SJ 1540
 02/20/2024 Senate—Committee of the Whole - Be passed as further amended—SJ 1539
 02/21/2024 Senate—Final Action - Passed as amended; Yea: 36 Nay: 2—SJ 1558
 02/22/2024 House—Received and Introduced—HJ 1850
 02/23/2024 House—Referred to Committee on Transportation—HJ 1868
 02/28/2024 House—Hearing: Wednesday, March 6, 2024, 1:30 PM Room 582-N
 03/13/2024 House—Committee Report recommending bill be passed as amended by
 Committee on Transportation—HJ 1939

BILLS 78

03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2283
03/25/2024 House—Committee of the Whole - Amendment by Representative
Waymaster was adopted—HJ 2283
03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2286
03/26/2024 House—Final Action - Passed as amended; Yea: 103 Nay: 20—HJ 2312
03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested;
appointed Senator Petersen, Senator Kloos and Senator Corson as conferees—
SJ 1823
04/01/2024 House—Motion to accede adopted; Representative Francis, Representative
Neelly and Representative Ballard appointed as conferees—HJ 2403
04/03/2024 House—Conference Committee Report was adopted; Yea: 101 Nay: 19—HJ
2434
04/04/2024 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 1—SJ
1923
04/25/2024 Senate—Enrolled and presented to Governor on Friday, April 12, 2024
04/25/2024 Senate—Approved by Governor on Monday, April 22, 2024

S 360

Bill by Education

Allowing a taxpayer to elect the taxable year in which a subtraction modification for contributions to a 529 program account, ABLE account or first-time home buyer savings account would be applied and authorizing the state treasurer to appoint a 529 program advisory committee.

01/18/2024 Senate—Introduced—SJ 1420
01/19/2024 Senate—Referred to Committee on Education—SJ 1423
01/24/2024 Senate—Hearing: Wednesday, January 31, 2024, 1:30 PM Room 144-S
02/07/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Education—SJ 1484
02/15/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1513
02/15/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1513
02/15/2024 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ
1527
02/19/2024 House—Received and Introduced—HJ 1779
02/20/2024 House—Referred to Committee on Education—HJ 1790
02/21/2024 House—Hearing: Thursday, February 29, 2024, 1:30 PM Room 218-N
03/07/2024 House—Committee Report recommending bill be passed by Committee on
Education—HJ 1907
03/26/2024 House—Committee of the Whole - Be passed—HJ 2328
03/27/2024 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 2370
04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ
1848
04/04/2024 Senate—Approved by Governor on Thursday, April 4, 2024—SJ 1871

S 361

Bill by Ways and Means

Increasing criminal penalties for a driver who leaves the scene of a vehicular accident when the accident results in the death of any person or more than one person, if the driver knew or reasonably should have known that such accident resulted in injury or death.

01/18/2024 Senate—Introduced—SJ 1420
01/19/2024 Senate—Referred to Committee on Judiciary—SJ 1423
03/06/2024 Senate—Hearing: Thursday, March 14, 2024, 10:30 AM Room 346-S
04/30/2024 Senate—Died in Committee

S 362

Bill by Local Government

Repealing the expiration provisions of the Sedgwick county urban area nuisance abatement act.

01/18/2024 Senate—Introduced—SJ 1420
01/19/2024 Senate—Referred to Committee on Local Government—SJ 1423

01/22/2024 Senate—Hearing: Thursday, January 25, 2024, 9:30 AM Room 142-S
 01/31/2024 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 1465
 02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
 02/22/2024 Senate—Final Action - Passed; Yea: 34 Nay: 5—SJ 1583
 02/22/2024 House—Received and Introduced—HJ 1866
 02/23/2024 House—Referred to Committee on Local Government—HJ 1868
 02/28/2024 House—Hearing: Wednesday, March 6, 2024, 9:00 AM Room 281-N
 03/11/2024 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 1920
 03/27/2024 House—Committee of the Whole - Be passed—HJ 2373
 03/27/2024 House—Emergency Final Action - Passed; Yea: 107 Nay: 15—HJ 2385
 04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ 1848
 04/04/2024 Senate—Approved by Governor on Thursday, April 4, 2024—SJ 1871

S 363 Bill by Local Government

Amending statutes regulating the practice of barbering regarding licensure, examination and fees.

01/18/2024 Senate—Introduced—SJ 1420
 01/19/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1423
 01/24/2024 Senate—Hearing: Wednesday, January 31, 2024, 8:30 AM Room 142-S
 02/07/2024 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 1484
 02/22/2024 Senate—Committee of the Whole - Be passed—SJ 1579
 02/22/2024 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1588
 02/23/2024 House—Received and Introduced—HJ 1868
 02/28/2024 House—Referred to Committee on Federal and State Affairs—HJ 1870
 04/30/2024 House—Died in House Committee

S 364 Bill by Ways and Means

Allowing victims of childhood sexual abuse to bring a civil action for recovery of damages suffered as a result of such abuse at any time and reviving claims against any party for such damages that occurred on or after July 1, 1984.

01/18/2024 Senate—Introduced—SJ 1420
 01/22/2024 Senate—Referred to Committee on Judiciary—SJ 1426
 04/30/2024 Senate—Died in Committee

S 365 Bill by Federal and State Affairs

Requiring all advance voting ballots be returned by 7:00 p.m. on election day.

01/18/2024 Senate—Introduced—SJ 1420
 01/19/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1423
 02/01/2024 Senate—Hearing: Tuesday, February 6, 2024, 10:30 AM Room 144-S
 02/15/2024 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1529
 03/04/2024 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted Yea: 22 Nay: 16—SJ 1601
 03/04/2024 Senate—Committee of the Whole - Amendment by Senator Steffen was adopted Yea: 17 Nay: 15—SJ 1612
 03/04/2024 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted Yea: 27 Nay: 6—SJ 1615
 03/04/2024 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 1615
 03/04/2024 Senate—Committee of the Whole - Amendment by Senator Faust-Goudeau was rejected—SJ 1617
 03/04/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1601
 03/05/2024 Senate—Final Action - Not passed; Yea: 18 Nay: 22—SJ 1621

- S 366** Bill by Federal and State Affairs
Requiring that county election officers receive a request for an application for an advance voting ballot from a voter before mailing such application to such voter.
01/18/2024 Senate—Introduced—SJ 1420
01/19/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1423
01/22/2024 Senate—Hearing: Wednesday, January 24, 2024, 10:30 AM Room 144-S
01/30/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 1456
04/30/2024 Senate—Died on Calendar
- S 367** Bill by Federal and State Affairs
Prohibiting the use of funds provided by the United States government for the conduct of elections and election-related activities unless approved by the legislature.
01/18/2024 Senate—Introduced—SJ 1420
01/19/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1423
02/08/2024 Senate—Hearing: Thursday, February 15, 2024, 10:30 AM Room 144-S
02/29/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs
03/27/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1813
03/27/2024 Senate—Committee of the Whole - Amendment by Senator Thompson was adopted—SJ 1813
03/27/2024 Senate—Committee of the Whole - Be passed as further amended—SJ 1813
03/27/2024 Senate—Emergency Final Action - Passed as amended; Yea: 28 Nay: 12—SJ 1824
04/01/2024 House—Received and Introduced—HJ 2405
04/02/2024 House—Referred to Committee on Elections—HJ 2413
04/30/2024 House—Died in House Committee
- S 368** Bill by Federal and State Affairs
Prohibiting the use of any form of ranked-choice voting method for the conduct of elections.
01/18/2024 Senate—Introduced—SJ 1420
01/19/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1423
01/24/2024 Senate—Hearing: Thursday, February 1, 2024, 10:30 AM Room 144-S
02/05/2024 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1475
04/30/2024 Senate—Died on Calendar
- S 369** Bill by Federal and State Affairs
Requiring a candidate's non-government issued email address be provided with declarations of intent, nomination petitions or nomination certifications for national, state and local offices.
01/18/2024 Senate—Introduced—SJ 1420
01/19/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1423
04/30/2024 Senate—Died in Committee
- S 370** Bill by Federal and State Affairs
Requiring legislative approval of any national heritage area or national historic trail in the state of Kansas and prohibiting state funding of any national heritage area or national historic trail unless such funding is first approved by the legislature of the state of Kansas.
01/18/2024 Senate—Introduced—SJ 1420
01/19/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1423
02/08/2024 Senate—Hearing: Tuesday, February 13, 2024, 10:30 AM Room 144-S

02/29/2024 Senate—Committee Report recommending bill be passed as amended by
 Committee on Federal and State Affairs
 04/30/2024 Senate—Died on Calendar

- S 371** Bill by Federal and State Affairs
Expanding the Kansas silver alert plan to provide public notice of missing persons 18 years of age or older who have an intellectual disability.
 01/18/2024 Senate—Introduced—SJ 1421
 01/19/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1423
 01/31/2024 Senate—Hearing: Tuesday, February 6, 2024, 8:30 AM Room 142-S
 03/18/2024 Senate—Committee Report recommending bill be passed as amended by
 Committee on Public Health and Welfare
 03/21/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1750
 03/21/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1750
 03/21/2024 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ
 1753
 03/22/2024 House—Received and Introduced—HJ 2279
 03/25/2024 House—Referred to Committee on Health and Human Services—HJ 2283
 04/30/2024 House—Died in House Committee
- S 372** Bill by Federal and State Affairs
Enacting the civil liability for doxing act to prohibit intentionally publishing another person's personally identifiable information without the consent of the person whose information is published under certain circumstances and authorize a civil action for violations of the act to recover damages and obtain injunctive relief.
 01/22/2024 Senate—Introduced—SJ 1425
 01/23/2024 Senate—Referred to Committee on Judiciary—SJ 1430
 04/30/2024 Senate—Died in Committee
- S 373** Bill by Federal and State Affairs
Prohibiting the use of public moneys for lobbying activities.
 01/22/2024 Senate—Introduced—SJ 1425
 01/23/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1430
 02/08/2024 Senate—Hearing: Monday, February 12, 2024, 10:30 AM Room 144-S
 04/30/2024 Senate—Died in Committee
- S 374** Bill by Federal and State Affairs
Allowing a voter to declare or change such voter's political party or voter affiliation on the day of a primary election.
 01/22/2024 Senate—Introduced—SJ 1426
 01/23/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1430
 04/30/2024 Senate—Died in Committee
- S 375** Bill by Federal and State Affairs
Prohibiting the use of generative artificial intelligence to create false representations of candidates in election campaign media or of state officials.
 01/22/2024 Senate—Introduced—SJ 1426
 01/23/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1430
 01/31/2024 Senate—Hearing: Thursday, February 8, 2024, 10:30 AM Room 144-S
 04/30/2024 Senate—Died in Committee
- S 376** Bill by Assessment and Taxation
Extending the time period for the single city port authority income tax credit.
 01/22/2024 Senate—Introduced—SJ 1426

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01/23/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1430
01/31/2024 Senate—Hearing: Thursday, February 8, 2024, 9:30 AM Room 548-S
02/21/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Assessment and Taxation—SJ 1561
03/14/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1659
03/14/2024 Senate—Committee of the Whole - Amendment by Senator Steffen was
rejected—SJ 1666
03/14/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1659
03/14/2024 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 5—SJ
1708
03/18/2024 House—Received and Introduced—HJ 1961
03/19/2024 House—Referred to Committee on Taxation—HJ 1966
04/30/2024 House—Died in House Committee

S 377

Bill by Assessment and Taxation

Substitute for SB 377 by Committee on Assessment and Taxation - Providing an income tax rate of 5.25% for individuals, increasing the income limit for the income tax subtraction modification for social security income, increasing the standard deduction by a cost-of-living adjustment, increasing the Kansas personal exemption, decreasing the privilege tax normal tax, establishing a 0% state rate for sales and use taxes for food and food ingredients on April 1, 2024, and increasing the extent of property tax exemption for residential property from the statewide school levy.

01/22/2024 Senate—Introduced—SJ 1426
01/23/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1430
01/24/2024 Senate—Hearing: Wednesday, January 31, 2024, 9:30 AM Room 548-S
02/20/2024 Senate—Motion to suspend rule 11b not adopted; Yea: 13 Nay: 24—SJ 1538
02/20/2024 Senate—Committee Report recommending substitute bill be passed by
Committee on Assessment and Taxation—SJ 1544
02/23/2024 Senate—Withdrawn from Calendar, Rereferred to Committee on Assessment
and Taxation—SJ 1593
04/30/2024 Senate—Died in Committee

S 378

Bill by Senator Olson

Establishing the Kansas trade service scholarship act and making appropriations to the state board of regents for fiscal year 2025 to provide grants to community colleges, technical colleges and the Washburn institute of technology for capital improvements, repairs and maintenance of trade program buildings.

01/23/2024 Senate—Introduced—SJ 1428
01/24/2024 Senate—Referred to Committee on Ways and Means—SJ 1433
04/30/2024 Senate—Died in Committee

S 379

Bill by Judiciary

Providing a longer time for notice to creditors by publication when a petition for administration or probate of a will is filed, changing the process for transferring personal property by affidavit in small estates and modifying time requirements for notice by publication related to sales at public auction in the Kansas probate code.

01/23/2024 Senate—Introduced—SJ 1428
01/24/2024 Senate—Referred to Committee on Judiciary—SJ 1433
01/31/2024 Senate—Hearing: Monday, February 5, 2024, 10:30 AM Room 346-S
02/08/2024 Senate—Committee Report recommending bill be passed and placed on
Consent Calendar by Committee on Judiciary—SJ 1488
02/15/2024 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1524
02/19/2024 House—Received and Introduced—HJ 1779
02/20/2024 House—Referred to Committee on Judiciary—HJ 1790

03/06/2024 House—Hearing: Tuesday, March 12, 2024, 3:30 PM Room 582-N
 03/25/2024 House—Committee Report recommending bill be passed by Committee on
 Judiciary—HJ 2304
 03/27/2024 House—Committee of the Whole - Be passed—HJ 2373
 03/27/2024 House—Emergency Final Action - Passed; Yea: 122 Nay: 0—HJ 2387
 04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ
 1848
 04/25/2024 Senate—Approved by Governor on Friday, April 12, 2024

S 380 Bill by Judiciary
Clarifying a special sentencing rule applicable to violations of criminal discharge of a firearm when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm.
 01/23/2024 Senate—Introduced—SJ 1429
 01/24/2024 Senate—Referred to Committee on Judiciary—SJ 1433
 04/30/2024 Senate—Died in Committee

S 381 Bill by Judiciary
Authorizing the board of county commissioners of any county that is not the most populous county in a multiple-county judicial district to appoint a coroner to serve as the district coroner for the county at the expense of the county.
 01/23/2024 Senate—Introduced—SJ 1429
 01/24/2024 Senate—Referred to Committee on Judiciary—SJ 1433
 02/07/2024 Senate—Hearing: Wednesday, February 14, 2024, 10:30 AM Room 346-S
 02/19/2024 Senate—Committee Report recommending bill be passed by Committee on
 Judiciary—SJ 1534
 02/20/2024 Senate—Committee of the Whole - Be passed—SJ 1539
 02/21/2024 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1558
 02/21/2024 House—Received and Introduced—HJ 1819
 02/22/2024 House—Referred to Committee on Local Government—HJ 1826
 03/13/2024 House—Hearing: Wednesday, March 20, 2024, 9:00 AM Room 281-N
 03/21/2024 House—Committee Report recommending bill be passed by Committee on
 Local Government—HJ 2278
 03/25/2024 House—Committee of the Whole - Be passed—HJ 2283
 03/26/2024 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 2313
 04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ
 1848
 04/04/2024 Senate—Approved by Governor on Thursday, April 4, 2024—SJ 1871

S 382 Bill by Ways and Means
Making and concerning appropriations for fiscal years 2024, 2025, 2026, 2027 and 2028 for state agencies, increasing expenditure limitations, authorizing certain transfers, funding of the fiscal year 2024 salary increase for certain state employees, transferring funds from the legislature employment security fund of the legislative coordinating council to the university of Kansas and Wichita state university health collaboration fund of the university of Kansas, to the Wichita state university and university of Kansas health collaboration fund of Wichita state university and to the state general fund and authorizing certain expenditures from the build Kansas matching grant fund.
 01/23/2024 Senate—Introduced—SJ 1429
 01/24/2024 Senate—Referred to Committee on Ways and Means—SJ 1433
 01/31/2024 Senate—Hearing: Tuesday, February 6, 2024, 10:30 AM Room 548-S
 02/01/2024 Senate—Hearing: Wednesday, February 7, 2024, 10:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee

- S 383** Bill by Local Government
Authorizing the board of directors for a drainage district to hold a meeting in executive session in accordance with the open meetings act.
01/23/2024 Senate—Introduced—SJ 1429
01/24/2024 Senate—Referred to Committee on Local Government—SJ 1433
01/24/2024 Senate—Hearing: Tuesday, January 30, 2024, 9:30 AM Room 142-S
04/30/2024 Senate—Died in Committee
- S 384** Bill by Local Government
Creating the Riley county unincorporated area nuisance abatement act and the Crawford county unincorporated area nuisance abatement act to establish procedures for the removal and abatement of nuisances in the unincorporated areas of such counties and the assessment of the costs for such abatement and specifying personnel requirements for ambulances making interfacility transfers in rural counties.
01/23/2024 Senate—Introduced—SJ 1429
01/24/2024 Senate—Referred to Committee on Local Government—SJ 1433
01/24/2024 Senate—Hearing: Thursday, February 1, 2024, 9:30 AM Room 142-S
02/07/2024 Senate—Hearing continuation: Tuesday, February 13, 2024, 9:30 AM Room 142-S
02/14/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Local Government—SJ 1510
02/19/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1533
02/19/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1533
02/20/2024 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1542
02/22/2024 House—Received and Introduced—HJ 1850
02/23/2024 House—Referred to Committee on Local Government—HJ 1868
03/06/2024 House—Hearing: Wednesday, March 13, 2024, 9:00 AM Room 281-N
03/13/2024 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 1938
03/25/2024 House—Committee of the Whole - Passed over and retain a place on the calendar—HJ 2286
03/25/2024 House—Committee of the Whole - Amendment by Representative Owens was adopted—HJ 2297
03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2297
03/26/2024 House—Final Action - Passed as amended; Yea: 119 Nay: 4—HJ 2313
03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator McGinn, Senator Bowers and Senator Francisco as conferees—SJ 1823
04/01/2024 House—Motion to accede adopted; Representative Bergquist, Representative Blex and Representative Featherston appointed as conferees—HJ 2403
04/04/2024 House—Conference Committee Report was adopted; Yea: 122 Nay: 1—HJ 2462
04/04/2024 Senate—Conference Committee Report was adopted; Yea: 33 Nay: 5—SJ 1928
04/25/2024 Senate—Enrolled and presented to Governor on Friday, April 12, 2024
04/25/2024 Senate—Approved by Governor on Monday, April 22, 2024
- S 385** Bill by Senator Pyle
Designating the members of the Kansas senate as delegates to a convention of the states called pursuant to article V of the constitution of the United States.
01/23/2024 Senate—Introduced—SJ 1429
01/24/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1433
04/30/2024 Senate—Died in Committee
- S 386** Bill by Education
Requiring enrollment under the Kansas school equity and enhancement act to be

determined using the current school year or the preceding school year.

01/23/2024 Senate—Introduced—SJ 1429
 01/24/2024 Senate—Referred to Committee on Education—SJ 1433
 01/24/2024 Senate—Hearing: Tuesday, January 30, 2024, 1:30 PM Room 144-S
 02/07/2024 Senate—Committee Report recommending bill be passed as amended by
 Committee on Education—SJ 1484
 02/20/2024 Senate—Committee of the Whole - Passed over and retain a place on the
 calendar—SJ 1539
 02/23/2024 Senate—Withdrawn from Calendar; Referred to Committee on Ways and
 Means—SJ 1593
 02/28/2024 Senate—Withdrawn from Committee on Ways and Means and referred to
 Committee of the Whole—SJ 1596
 03/25/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1767
 03/25/2024 Senate—Committee of the Whole - Amendment by Senator Bowers was
 adopted—SJ 1768
 03/25/2024 Senate—Committee of the Whole - Amendment by Senator Baumgardner
 was adopted—SJ 1768
 03/25/2024 Senate—Committee of the Whole - Be passed as further amended—SJ 1767
 03/26/2024 Senate—Final Action - Passed as amended; Yea: 33 Nay: 6—SJ 1795
 04/01/2024 House—Received and Introduced—HJ 2405
 04/02/2024 House—Referred to Committee on K-12 Education Budget—HJ 2413
 04/30/2024 House—Died in House Committee

S 387

Bill by K-12 Education Budget

**House Substitute for SB 387 by Committee on K-12 Education Budget - Making
 appropriations for the department of education for FY 24, FY 25 and FY 26
 and enacting, revising and abolishing certain statutes relating to the
 educational system.**

01/23/2024 Senate—Introduced—SJ 1429
 01/24/2024 Senate—Referred to Committee on Education—SJ 1433
 01/24/2024 Senate—Hearing: Monday, January 29, 2024, 1:30 PM Room 144-S
 02/07/2024 Senate—Committee Report recommending bill be passed as amended by
 Committee on Education—SJ 1484
 02/20/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1539
 02/20/2024 Senate—Committee of the Whole - Amendment by Senator Holscher was
 rejected—SJ 1541
 02/20/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1539
 02/21/2024 Senate—Final Action - Passed as amended; Yea: 37 Nay: 3—SJ 1559
 02/22/2024 House—Received and Introduced—HJ 1850
 02/23/2024 House—Referred to Committee on K-12 Education Budget—HJ 1868
 02/29/2024 House—Hearing: Monday, March 4, 2024, 3:30 PM Room 546-S
 03/14/2024 House—Committee Report recommending substitute bill be passed by
 Committee on K-12 Education Budget—HJ 1955
 03/26/2024 House—Committee of the Whole - Committee Report be adopted
 recommending substitute bill be passed—HJ 2322
 03/26/2024 House—Representative Hoheisel challenged the amendment under the Pay-
 Go provision of House Rule 2110. The amendment was ruled to be out of order
 —HJ 2322
 03/26/2024 House—Committee of the Whole - Amendment by Representative Goetz was
 adopted—HJ 2322
 03/26/2024 House—Committee of the Whole - Amendment by Representative Ousley
 was rejected Yea: 43 Nay: 74—HJ 2323
 03/26/2024 House—Committee of the Whole - Substitute bill be passed as amended—HJ
 2324
 03/27/2024 House—Final Action - Substitute passed as amended; Yea: 65 Nay: 58—HJ
 2371
 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested;
 appointed Senator Baumgardner, Senator Erickson and Senator Sykes as

- conferees—SJ 1842
- 04/01/2024 House—Motion to accede adopted; Representative Williams, K., Representative Goetz and Representative Winn appointed as conferees—HJ 2406
- 04/03/2024 House—Conference Committee Report agree to disagree adopted; Representative Williams, K., Representative Goetz and Representative Winn appointed as second conferees—HJ 2426
- 04/03/2024 Senate—Conference Committee Report agree to disagree adopted; Senator Baumgardner, Senator Erickson and Senator Sykes appointed as second conferees—SJ 1854
- 04/04/2024 House—Conference Committee Report was adopted; Yea: 65 Nay: 58—HJ 2455
- 04/04/2024 Senate—Conference Committee Report not adopted; Yea: 12 Nay: 26—SJ 1931
- 04/04/2024 Senate—Motion to reconsider previous action adopted.—SJ 1932
- 04/04/2024 Senate—Conference Committee Report not adopted; Senator Baumgardner, Senator Erickson and Senator Sykes appointed as third conferees—SJ 1932
- 04/05/2024 House—Motion to accede adopted; Representative Williams, K., Representative Goetz and Representative Winn appointed as third conferees—HJ 2685
- 04/26/2024 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —HJ 3360
- 04/26/2024 House—Conference Committee Report was adopted; Yea: 115 Nay: 2—HJ 3360
- 04/26/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
- 04/26/2024 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 2
- 04/30/2024 Senate—Enrolled and presented to Governor on Monday, May 6, 2024
- 04/30/2024 Senate—Approved by Governor except line item veto of 2a (part) on Wednesday, May 15, 2024
- 04/30/2024 Senate—The Legislature having adjourned sine die on April 30, 2024, there was no opportunity to reconsider and the line-item veto is sustained.

S 388 Bill by Financial Institutions and Insurance

Increasing the amount of retirant compensation subject to the statutory employer contribution rate to the first \$40,000 earned by a retirant in a calendar year.

- 01/24/2024 Senate—Introduced—SJ 1431
- 01/25/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1436
- 04/30/2024 Senate—Died in Committee

S 389 Bill by Agriculture and Natural Resources

Prohibiting entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas, providing penalties therefor and removing the intent to destroy property in the farm animal and field crop and research facilities protection act.

- 01/24/2024 Senate—Introduced—SJ 1431
- 01/25/2024 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1436
- 04/30/2024 Senate—Died in Committee

S 390 Bill by Public Health and Welfare

Enacting the conscientious right to refuse act to prohibit discrimination against individuals to refuse medical care and creating a civil cause of action based on such discrimination; repealing the authority of the secretary of health and environment to quarantine individuals and impose associated penalties.

- 01/24/2024 Senate—Introduced—SJ 1432

01/25/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1436
 02/13/2024 Senate—Hearing: Wednesday, February 14, 2024, 8:30 AM Room 548-S
 02/23/2024 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 1593
 02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 1596
 04/30/2024 Senate—Died in Committee

S 391 Bill by Public Health and Welfare

Enacting the constitutional right to health freedom act to regulate the activities of the secretary of health and environment related to public health functions; repealing statutes relating to the secretary's authority to quarantine individuals and impose associated penalties.

01/24/2024 Senate—Introduced—SJ 1432
 01/25/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1436
 02/13/2024 Senate—Hearing: Thursday, February 15, 2024, 8:30 AM Room 548-S
 02/21/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 1575
 02/22/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1579
 02/22/2024 Senate—Committee of the Whole - Amendment by Senator Blasi was adopted—SJ 1580
 02/22/2024 Senate—Committee of the Whole - Amendment by Senator Wilborn was adopted—SJ 1580
 02/22/2024 Senate—Committee of the Whole - Be passed as further amended—SJ 1579
 02/22/2024 Senate—Emergency Final Action - Passed as amended; Yea: 23 Nay: 17—SJ 1588
 02/28/2024 House—Received and Introduced—HJ 1871
 02/29/2024 House—Referred to Committee on Health and Human Services—HJ 1874
 04/30/2024 House—Died in House Committee

S 392 Bill by Judiciary

Granting the medicaid inspector general access to the prescription monitoring program database without a warrant and replacing the member of the program advisory committee representing the Kansas bureau of investigation with a member appointed by the attorney general's office.

01/24/2024 Senate—Introduced—SJ 1432
 01/25/2024 Senate—Referred to Committee on Judiciary—SJ 1436
 04/30/2024 Senate—Died in Committee

S 393 Bill by Judiciary

Requiring automated expungement of certain records from a person's criminal record to seal such records from public view and limit disclosure thereof.

01/24/2024 Senate—Introduced—SJ 1432
 01/25/2024 Senate—Referred to Committee on Judiciary—SJ 1436
 04/30/2024 Senate—Died in Committee

S 394 Bill by Judiciary

Requiring the use of age-verification technology to permit access to internet websites containing material that is harmful to minors.

01/24/2024 Senate—Introduced—SJ 1432
 01/25/2024 Senate—Referred to Committee on Judiciary—SJ 1436
 01/31/2024 Senate—Hearing: Wednesday, February 7, 2024, 10:30 AM Room 346-S
 02/13/2024 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1498
 02/15/2024 Senate—Committee of the Whole - Be passed—SJ 1513
 02/15/2024 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1527

02/19/2024 House—Received and Introduced—HJ 1779
02/20/2024 House—Referred to Committee on Judiciary—HJ 1790
03/04/2024 House—Hearing: Wednesday, March 6, 2024, 3:30 PM Room 582-N
03/11/2024 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 1917
03/25/2024 House—Committee of the Whole - Be passed—HJ 2283
03/26/2024 House—Final Action - Passed; Yea: 92 Nay: 31—HJ 2314
04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ 1848
04/25/2024 Senate—Will become law without Governor's signature

S 395 Bill by Ways and Means
Requiring the university of Kansas hospital authority to have prior approval from the legislature or the legislative coordinating council when the legislature is not in session, when purchasing, leasing, trading, exchanging or otherwise acquiring, constructing, repair, remodeling or renovating any real property or facility outside of the state of Kansas.

01/24/2024 Senate—Introduced—SJ 1432
01/25/2024 Senate—Referred to Committee on Ways and Means—SJ 1436
04/30/2024 Senate—Died in Committee

S 396 Bill by Financial Institutions and Insurance
Reducing the waiting period for a KPERS retiree to return to work for a participating employer during a period beginning July 1, 2024, and ending July 1, 2029.

01/24/2024 Senate—Introduced—SJ 1432
01/25/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1436
04/30/2024 Senate—Died in Committee

S 397 Bill by Financial Institutions and Insurance
Eliminating annual controlled business reporting requirements placed on title agents and insurers.

01/25/2024 Senate—Introduced—SJ 1435
01/26/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1445
04/30/2024 Senate—Died in Committee

S 398 Bill by Financial Institutions and Insurance
Authorizing the commissioner of insurance to set the amount of certain fees and requiring the publication of such fees in the Kansas register.

01/25/2024 Senate—Introduced—SJ 1436
01/26/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1445
01/31/2024 Senate—Hearing: Tuesday, February 6, 2024, 9:30 AM Room 546-S
02/15/2024 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1529
02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
02/22/2024 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1583
02/22/2024 House—Received and Introduced—HJ 1866
02/23/2024 House—Referred to Committee on Insurance—HJ 1868
02/28/2024 House—Hearing: Monday, March 4, 2024, 3:30 PM Room 218-N
03/05/2024 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 1883
03/07/2024 House—Committee of the Whole - Committee Report be adopted—HJ 1903
03/07/2024 House—Committee of the Whole - Be passed as amended—HJ 1903

03/07/2024 House—Emergency Final Action - Passed as amended; Yea: 103 Nay: 17—
HJ 1905
03/07/2024 Senate—Nonconcurrent with amendments; Conference Committee requested;
appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—
SJ 1629
03/12/2024 House—Motion to accede adopted; Representative Sutton, Representative
Penn and Representative Neighbor appointed as conferees—HJ 1923
04/30/2024 Senate—Died in Conference

- S 399** Bill by Transportation
Requiring vehicle dealers and salvage vehicle dealers to file monthly reports by the 25th day of the month.
01/25/2024 Senate—Introduced—SJ 1436
01/26/2024 Senate—Referred to Committee on Transportation—SJ 1445
02/07/2024 Senate—Hearing: Wednesday, February 14, 2024, 8:30 AM Room 546-S
02/15/2024 Senate—Committee Report recommending bill be passed and placed on
Consent Calendar by Committee on Transportation—SJ 1529
02/20/2024 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1541
02/21/2024 House—Received and Introduced—HJ 1819
02/22/2024 House—Referred to Committee on Transportation—HJ 1826
02/28/2024 House—Hearing: Tuesday, March 5, 2024, 1:30 PM Room 582-N
03/13/2024 House—Committee Report recommending bill be passed and placed on
Consent Calendar by Committee on Transportation—HJ 1938
03/20/2024 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 2259
03/26/2024 Senate—Enrolled and presented to Governor on Tuesday, March 26, 2024—
SJ 1811
04/01/2024 Senate—Approved by Governor on Friday, March 29, 2024
- S 400** Bill by Transportation
Providing for the sporting Kansas City distinctive license plate.
01/25/2024 Senate—Introduced—SJ 1436
01/26/2024 Senate—Referred to Committee on Transportation—SJ 1445
01/31/2024 Senate—Hearing: Tuesday, February 6, 2024, 8:30 AM Room 546-S
04/30/2024 Senate—Died in Committee
- S 401** Bill by Federal and State Affairs
Requiring critical thinking be integrated into elementary and secondary instruction.
01/25/2024 Senate—Introduced—SJ 1436
01/26/2024 Senate—Referred to Committee on Education—SJ 1445
04/30/2024 Senate—Died in Committee
- S 402** Bill by Transportation
Prohibiting crew size requirements for class II and class III railroads.
01/25/2024 Senate—Introduced—SJ 1436
01/26/2024 Senate—Referred to Committee on Transportation—SJ 1445
04/30/2024 Senate—Died in Committee
- S 403** Bill by Assessment and Taxation
Providing a sales tax exemption for be able, inc.
01/25/2024 Senate—Introduced—SJ 1436
01/26/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1445
04/30/2024 Senate—Died in Committee
- S 404** Bill by Public Health and Welfare
Permitting the use of expedited partner therapy to treat a sexually transmitted

BILLS 90

disease.

01/25/2024 Senate—Introduced—SJ 1436
01/26/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1445
01/31/2024 Senate—Hearing: Thursday, February 8, 2024, 8:30 AM Room 142-S
04/30/2024 Senate—Died in Committee

S 405

Bill by Financial Institutions and Insurance

Holding a control person liable for violations of the Kansas uniform securities act by an individual subject to discipline under the act unless the control person was unaware and could not reasonably have known of the violations of such individual.

01/26/2024 Senate—Introduced—SJ 1445
01/29/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1450
01/31/2024 Senate—Hearing: Tuesday, February 6, 2024, 9:30 AM Room 546-S
02/15/2024 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 1529
02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
02/22/2024 Senate—Final Action - Passed; Yea: 29 Nay: 10—SJ 1584
02/22/2024 House—Received and Introduced—HJ 1866
02/23/2024 House—Referred to Committee on Insurance—HJ 1868
02/28/2024 House—Withdrawn from Committee on Insurance; Referred to Committee on Financial Institutions and Pensions—HJ 1890
03/13/2024 House—Hearing: Monday, March 18, 2024, 9:00 AM Room 582-N
03/19/2024 House—Committee Report recommending bill be passed by Committee on Financial Institutions and Pensions—HJ 2250
03/25/2024 House—Committee of the Whole - Be passed—HJ 2283
03/26/2024 House—Final Action - Passed; Yea: 117 Nay: 6—HJ 2315
04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ 1848
04/25/2024 Senate—Approved by Governor on Friday, April 12, 2024

S 406

Bill by Financial Institutions and Insurance

Enacting the Kansas money transmission act.

01/29/2024 Senate—Introduced—SJ 1447
01/30/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1456
01/31/2024 Senate—Hearing: Wednesday, February 7, 2024, 9:30 AM Room 546-S
02/19/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1533
02/21/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1556
02/21/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1556
02/22/2024 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1584
02/28/2024 House—Received and Introduced—HJ 1871
02/29/2024 House—Referred to Committee on Financial Institutions and Pensions—HJ 1874
03/13/2024 House—Hearing: Monday, March 18, 2024, 9:00 AM Room 582-N
03/19/2024 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Pensions—HJ 2250
03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2286
03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2286
03/26/2024 House—Final Action - Passed as amended; Yea: 118 Nay: 5—HJ 2316
04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Pittman as conferees—SJ 1842
04/02/2024 House—Motion to accede adopted; Representative Hoheisel, Representative Clifford and Representative Xu appointed as conferees—HJ 2415

04/30/2024 Senate—Died in Conference

S 407

Bill by Education

Requiring the state board of education to authorize teaching licenses for individuals who complete an alternative teacher certification program.

01/29/2024 Senate—Introduced—SJ 1448

01/30/2024 Senate—Referred to Committee on Education—SJ 1456

01/31/2024 Senate—Hearing: Thursday, February 8, 2024, 1:30 PM Room 144-S

02/20/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 1544

02/23/2024 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1593

02/28/2024 Senate—Withdrawn from Committee on Ways and Means and referred to Committee of the Whole—SJ 1596

03/25/2024 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 1768

04/30/2024 Senate—Died on Calendar

S 408

Bill by Federal and State Affairs

Changing driving training requirements to allow driving school instructors to hold a valid driver's license from any state.

01/29/2024 Senate—Introduced—SJ 1448

01/30/2024 Senate—Referred to Committee on Transportation—SJ 1456

04/30/2024 Senate—Died in Committee

S 409

Bill by Federal and State Affairs

Prohibiting any county or city legislation that would modify the established classes of individuals protected from discrimination under the Kansas act against discrimination.

01/29/2024 Senate—Introduced—SJ 1448

01/30/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1456

04/30/2024 Senate—Died in Committee

S 410

Bill by Assessment and Taxation

Reducing penalties for the late filing of or the failure to file statements listing personal property for assessment and the discovery of escaped personal property and reporting changes after initial statement, allowing for filing of an appraisal by a certified residential real property appraiser for appeal purposes, accounting for adverse influences in the valuation of agricultural land, including properties used for registered agritourism activities as land devoted to agricultural use for purposes of classification, providing a property tax exemption for new electric generation facilities, additions and new pollution control devices and discontinuing certain current property tax exemptions, providing that county clerks are not required to send revenue neutral rate notices to property owners of exempt property, modifying and prescribing the contents of the revenue neutral rate hearing notice, permitting a tax levy that generates the same amount of revenue as the previous year when the final assessed valuation decreases compared to the estimated assessed valuation, requiring that the governing body's vote be conducted on the same day as the commencement of the public hearing, extending reimbursement from the taxpayer notification costs fund for printing and postage costs for calendar year 2024, providing income tax subtraction modifications for certain federal credit disallowances and the employee retention credit disallowance and to permit the carryforward of certain net operating losses, clarifying the disallowed business interest expense deduction, extending the time period for the single city port

authority tax credit, decreasing penalties for failing to timely remit withholding income taxes of employees by employers, clarifying the determination of taxable income of an electing pass-through entity and providing for the passing through of tax credits to electing pass-through entity owners relating to the salt parity act, providing countywide retailers' sales tax authority for Rawlins, Marshall and Neosho counties and authorizing teleconference or video conference hearings in the small claims and expedited hearings division of the state board of tax appeals.

- 01/29/2024 Senate—Introduced—SJ 1448
- 01/30/2024 Senate—Referred to Committee on Transportation—SJ 1456
- 02/05/2024 Senate—Hearing: Thursday, February 8, 2024, 8:30 AM Room 546-S
- 02/13/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 1504
- 02/15/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1513
- 02/15/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1513
- 02/15/2024 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1528
- 02/19/2024 House—Received and Introduced—HJ 1779
- 02/20/2024 House—Referred to Committee on Transportation—HJ 1790
- 02/28/2024 House—Hearing: Tuesday, March 5, 2024, 1:30 PM Room 582-N
- 03/13/2024 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 1940
- 03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2286
- 03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2286
- 03/26/2024 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 2316
- 04/02/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Petersen, Senator Kloos and Senator Corson as conferees—SJ 1847
- 04/02/2024 House—Motion to accede adopted; Representative Francis, Representative Neelly and Representative Ballard appointed as conferees—HJ 2416
- 04/03/2024 House—Representative Smith, A., Representative Bergkamp, and Representative Sawyer are appointed to replace Representative Francis, Representative Neelly, and Representative Ballard on the Conference Committee—HJ 2427
- 04/03/2024 Senate—Senator Tyson, Senator Peck, and Senator Holland are appointed to replace Senator Petersen, Senator Kloos, and Senator Corson on the Conference Committee—SJ 1869
- 04/04/2024 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 2633
- 04/05/2024 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 2—SJ 2444
- 04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024
- 04/25/2024 Senate—Approved by Governor on Wednesday, April 24, 2024

S 411 Bill by Senator Olson
Abolishing the division of legislative post audit, creating the statewide elected office of state auditor and enacting the state audit act.

- 01/29/2024 Senate—Introduced—SJ 1448
- 01/30/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1456
- 04/30/2024 Senate—Died in Committee

S 412 Bill by Judiciary
Modifying criminal sentencing rules applicable in multiple conviction cases where consecutive sentences may be imposed by the sentencing judge and the sentence for the primary crime is a nonprison sentence.

- 01/29/2024 Senate—Introduced—SJ 1448
- 01/30/2024 Senate—Referred to Committee on Judiciary—SJ 1456

01/31/2024 Senate—Hearing: Monday, February 5, 2024, 10:30 AM Room 346-S
 04/30/2024 Senate—Died in Committee

S 413

Bill by Judiciary

Specifying criminal penalties for unlawful distribution of fentanyl-related controlled substances when distributed by weight or dosage unit.

01/29/2024 Senate—Introduced—SJ 1448
 01/30/2024 Senate—Referred to Committee on Judiciary—SJ 1456
 01/31/2024 Senate—Hearing: Tuesday, February 6, 2024, 10:30 AM Room 346-S
 04/30/2024 Senate—Died in Committee

S 414

Bill by Judiciary

Requiring certain persons on a third or subsequent conviction of driving under the influence to participate in a multidisciplinary model of services for substance use disorders, removing the requirement that municipal courts collect fingerprints from persons convicted of violating certain municipal ordinance provisions, amending the crime of aggravated endangering a child to increase the criminal penalties when bodily harm to the child results and when a child is in certain environments associated with fentanyl-related controlled substances, increasing the criminal penalties for unlawful distribution of fentanyl-related controlled substances, eliminating the element of concealment from the crime of breach of privacy related to installing or using a device to photograph or record another identifiable person under or through the clothing being worn by that other person or another identifiable person who is nude or in a state of undress, excluding certain types of incarceration time from being included in the allowance for time spent incarcerated when calculating a criminal defendant's sentence and updating the general terms of supervision for offenders on probation and postrelease supervision.

01/29/2024 Senate—Introduced—SJ 1448
 01/30/2024 Senate—Referred to Committee on Judiciary—SJ 1456
 01/31/2024 Senate—Hearing: Tuesday, February 6, 2024, 10:30 AM Room 346-S
 02/13/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1499
 02/15/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1513
 02/15/2024 Senate—Committee of the Whole - Amendment by Senator Holscher was rejected—SJ 1524
 02/15/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1513
 02/15/2024 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 1528
 02/19/2024 House—Received and Introduced—HJ 1779
 02/20/2024 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1790
 02/28/2024 House—Hearing: Tuesday, March 5, 2024, 1:30 PM Room 546-S
 03/14/2024 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1955
 03/21/2024 House—Withdrawn from Calendar, Rereferred to Committee on Corrections and Juvenile Justice—HJ 2270
 03/25/2024 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 2299
 03/27/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2374
 03/27/2024 House—Committee of the Whole - Amendment by Representative Meyer was rejected Yea: 35 Nay: 79—HJ 2374
 03/27/2024 House—Committee of the Whole - Be passed as amended—HJ 2375
 03/27/2024 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 2383
 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested;

appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—
SJ 1842
04/02/2024 House—Motion to accede adopted; Representative Owens, Representative
Smith, E. and Representative Carmichael appointed as conferees—HJ 2415
04/26/2024 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
—HJ 3364
04/26/2024 House—Conference Committee Report was adopted; Yea: 114 Nay: 0—HJ
3364
04/29/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
—SJ 2768
04/29/2024 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 0—SJ
2819
04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, May 7, 2024
04/30/2024 Senate—Approved by Governor on Thursday, May 9, 2024

S 415 Bill by Judiciary

Creating the crime of organized retail crime, providing criminal penalties for violation thereof, increasing the criminal penalties for theft of certain property, including organized retail crime in the definition of racketeering activity under the Kansas racketeer influenced and corrupt organization act and authorizing the attorney general to prosecute crimes that are part of an alleged course of criminal conduct that occurred in two or more counties.

01/29/2024 Senate—Introduced—SJ 1448
01/30/2024 Senate—Referred to Committee on Judiciary—SJ 1456
02/23/2024 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on
Ways and Means—SJ 1593
02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to
Committee on Judiciary—SJ 1596
03/06/2024 Senate—Hearing: Tuesday, March 12, 2024, 10:30 AM Room 346-S
04/30/2024 Senate—Died in Committee

S 416 Bill by Judiciary

Prohibiting fines and fees from being assessed against a juvenile or a juvenile's parent, guardian or custodian in a case pursuant to the revised Kansas juvenile justice code.

01/29/2024 Senate—Introduced—SJ 1449
01/30/2024 Senate—Referred to Committee on Judiciary—SJ 1456
02/23/2024 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on
Ways and Means—SJ 1593
02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to
Committee on Judiciary—SJ 1596
03/06/2024 Senate—Hearing: Wednesday, March 13, 2024, 10:30 AM Room 346-S
04/30/2024 Senate—Died in Committee

S 417 Bill by Agriculture and Natural Resources

Limiting the secretary of wildlife and park's authority to exercise the right of eminent domain.

01/29/2024 Senate—Introduced—SJ 1449
01/30/2024 Senate—Referred to Committee on Agriculture and Natural Resources—SJ
1456
02/20/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Agriculture and Natural Resources—SJ 1544
02/22/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1579
02/22/2024 Senate—Committee of the Whole - Amendment by Senator Straub was
adopted—SJ 1580
02/22/2024 Senate—Committee of the Whole - Be passed as further amended—SJ 1579

02/22/2024 Senate—Emergency Final Action - Passed as amended; Yea: 25 Nay: 14—SJ 1589
 02/28/2024 House—Received and Introduced—HJ 1871
 02/29/2024 House—Referred to Committee on Agriculture and Natural Resources—HJ 1874
 03/06/2024 House—Hearing: Tuesday, March 12, 2024, 3:30 PM Room 112-N
 04/30/2024 House—Died in House Committee

S 418

Bill by Judiciary

Requiring the clerk of the appellate courts to publish monthly a list of cases of the supreme court and court of appeals in which a decision has not been entered and filed within six months of submission and a list of cases in which a petition for review has not been granted or denied within six months of submission.

01/29/2024 Senate—Introduced—SJ 1449
 01/30/2024 Senate—Referred to Committee on Judiciary—SJ 1456
 04/30/2024 Senate—Died in Committee

S 419

Bill by Corrections and Juvenile Justice

House Substitute for SB 419 by Committee on Corrections and Juvenile Justice - Providing immunity from prosecution for certain drug crimes when persons seek or provide medical assistance related to the use of a controlled substance.

01/29/2024 Senate—Introduced—SJ 1449
 01/30/2024 Senate—Referred to Committee on Judiciary—SJ 1456
 01/31/2024 Senate—Hearing: Tuesday, February 6, 2024, 10:30 AM Room 346-S
 02/13/2024 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1498
 02/15/2024 Senate—Committee of the Whole - Be passed—SJ 1513
 02/15/2024 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 1528
 02/19/2024 House—Received and Introduced—HJ 1779
 02/20/2024 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1790
 02/28/2024 House—Hearing: Wednesday, March 6, 2024, 1:30 PM Room 546-S
 03/14/2024 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 1955
 03/21/2024 House—Withdrawn from Calendar, Rereferred to Committee on Corrections and Juvenile Justice—HJ 2270
 03/25/2024 House—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—HJ 2287
 03/27/2024 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 2375
 03/27/2024 House—Committee of the Whole - Substitute bill be passed—HJ 2375
 03/27/2024 House—Emergency Final Action - Substitute passed; Yea: 122 Nay: 0—HJ 2383
 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 1842
 04/02/2024 House—Motion to accede adopted; Representative Owens, Representative Smith, E. and Representative Carmichael appointed as conferees—HJ 2415
 04/26/2024 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —HJ 3364
 04/26/2024 House—Conference Committee Report was adopted; Yea: 114 Nay: 0—HJ 3387
 04/29/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —SJ 2768
 04/29/2024 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 0—SJ

2821

04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, May 7, 2024
04/30/2024 Senate—Approved by Governor on Thursday, May 9, 2024

S 420

Bill by Corrections and Juvenile Justice

**House Substitute for SB 420 by Committee on Corrections and Juvenile Justice -
Allowing juvenile offenders in the custody of the secretary of corrections to
leave the juvenile correctional facility for certain programming and
educational opportunities when approved by the secretary.**

01/29/2024 Senate—Introduced—SJ 1449

01/30/2024 Senate—Referred to Committee on Judiciary—SJ 1456

02/13/2024 Senate—Hearing: Thursday, February 15, 2024, 10:30 AM Room 346-S

02/19/2024 Senate—Committee Report recommending bill be passed by Committee on
Judiciary—SJ 1534

02/20/2024 Senate—Committee of the Whole - Be passed—SJ 1539

02/21/2024 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1559

02/21/2024 House—Received and Introduced—HJ 1819

02/22/2024 House—Referred to Committee on Corrections and Juvenile Justice—HJ
1826

02/28/2024 House—Hearing: Thursday, March 7, 2024, 1:30 PM Room 546-S

03/25/2024 House—Committee Report recommending substitute bill be passed by
Committee on Corrections and Juvenile Justice—HJ 2287

03/27/2024 House—Committee of the Whole - Committee Report be adopted
recommending substitute bill be passed—HJ 2375

03/27/2024 House—Committee of the Whole - Substitute bill be passed—HJ 2375

03/27/2024 House—Emergency Final Action - Substitute passed; Yea: 122 Nay: 0—HJ
2384

04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested;
appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—
SJ 1842

04/02/2024 House—Motion to accede adopted; Representative Owens, Representative
Smith, E. and Representative Carmichael appointed as conferees—HJ 2415

04/26/2024 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
—HJ 3364

04/26/2024 House—Conference Committee Report was adopted; Yea: 113 Nay: 1—HJ
3390

04/29/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
—SJ 2768

04/29/2024 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 0—SJ
2822

04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, May 7, 2024

04/30/2024 Senate—Approved by Governor on Friday, May 10, 2024

S 421

Bill by Senators Blasi, Alley, Erickson, Fagg, Faust-Goudeau, Kerschen, Masterson,
Peterson, Ware

Providing a sales tax exemption for exploration place, inc.

01/29/2024 Senate—Introduced—SJ 1449

01/30/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1456

01/31/2024 Senate—Hearing: Thursday, February 8, 2024, 9:30 AM Room 548-S

04/30/2024 Senate—Died in Committee

S 422

Bill by Utilities

**Increasing the capacity limitation for the total amount of facilities subject to net
metering that may operate within the service territory of investor-owned
electric utilities, requiring facilities to be appropriately sized based on the
customer's average load and establishing requirements for exporting power
to a utility from a facility subject to net metering.**

01/30/2024 Senate—Introduced—SJ 1451
 01/31/2024 Senate—Referred to Committee on Utilities—SJ 1459
 04/30/2024 Senate—Died in Committee

S 423

Bill by Financial Institutions and Insurance

Reducing the number of appointed board members on certain insurance-related governing boards and the frequency of meetings of the the committee on surety bonds and insurance.

01/30/2024 Senate—Introduced—SJ 1452
 01/31/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1459
 02/05/2024 Senate—Hearing: Thursday, February 8, 2024, 9:30 AM Room 546-S
 02/19/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 1533
 02/21/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1556
 02/21/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1556
 02/22/2024 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 1584
 02/28/2024 House—Received and Introduced—HJ 1871
 02/29/2024 House—Referred to Committee on Insurance—HJ 1874
 03/06/2024 House—Hearing: Monday, March 11, 2024, 3:30 PM Room 218-N
 03/12/2024 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 1926
 03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2297
 03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2297
 03/26/2024 House—Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 2317
 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 1842
 04/02/2024 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 2415
 04/04/2024 House—Conference Committee Report was adopted; Yea: 80 Nay: 41—HJ 2518
 04/04/2024 Senate—Conference Committee Report not adopted; Senator Longbine, Senator Fagg and Senator Holscher appointed as second conferees—SJ 1932
 04/05/2024 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as second conferees—HJ 2685
 04/30/2024 Senate—Died in Conference

S 424

Bill by Federal and State Affairs

Providing for geographic positions or locations of points within the state of Kansas under the Kansas plane coordinate system act.

01/30/2024 Senate—Introduced—SJ 1452
 01/31/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1459
 01/31/2024 Senate—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Transportation—SJ 1465
 02/07/2024 Senate—Hearing: Wednesday, February 14, 2024, 8:30 AM Room 546-S
 02/15/2024 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 1529
 02/20/2024 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 1542
 02/21/2024 House—Received and Introduced—HJ 1819
 02/22/2024 House—Referred to Committee on Transportation—HJ 1826
 03/06/2024 House—Hearing: Tuesday, March 12, 2024, 1:30 PM Room 582-N
 03/15/2024 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—HJ 1959
 03/21/2024 House—Final Action - Passed; Yea: 120 Nay: 0—HJ 2271
 03/26/2024 Senate—Enrolled and presented to Governor on Tuesday, March 26, 2024—SJ 1811

BILLS 98

04/01/2024 Senate—Approved by Governor on Friday, March 29, 2024

S 425

Bill by Federal and State Affairs

Providing for child support orders for unborn children from the date of conception.

01/30/2024 Senate—Introduced—SJ 1452

01/31/2024 Senate—Referred to Committee on Judiciary—SJ 1459

02/07/2024 Senate—Hearing: Monday, February 12, 2024, 10:30 AM Room 346-S

04/30/2024 Senate—Died in Committee

S 426

Bill by Transportation

Creating a crime for injuring or causing death of certain authorized emergency vehicle operators and establishing penalties therefor and increasing penalties for unlawful passing of stationary authorized emergency vehicle.

01/30/2024 Senate—Introduced—SJ 1452

01/31/2024 Senate—Referred to Committee on Transportation—SJ 1459

02/14/2024 Senate—Hearing: Monday, February 19, 2024, 8:30 AM Room 546-S

02/20/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 1550

02/23/2024 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1593

02/28/2024 Senate—Withdrawn from Committee on Ways and Means and referred to Committee of the Whole—SJ 1596

03/27/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1813

03/27/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1813

03/27/2024 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 1824

04/01/2024 House—Received and Introduced—HJ 2405

04/02/2024 House—Referred to Committee on Transportation—HJ 2413

04/30/2024 House—Died in House Committee

S 427

Bill by Education

Requiring school districts to publicly list the names and email addresses of current school board members, authorizing local school board members to add new items to board meeting discussions, ask questions or engage in discussion with members of the public and access school property, authorizing members of the public to address school boards at board meetings and authorizing payment of annual dues to any not-for-profit organization that provides services to member school districts.

01/30/2024 Senate—Introduced—SJ 1452

01/31/2024 Senate—Referred to Committee on Education—SJ 1459

02/23/2024 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 1593

02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 1596

03/06/2024 Senate—Hearing: Wednesday, March 13, 2024, 1:30 PM Room 144-S

03/12/2024 Senate—Hearing: Wednesday, March 13, 2024, 12:00 PM Room 144-S

03/21/2024 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 1758

03/25/2024 Senate—Committee of the Whole - Amendment by Senator Blasi was adopted—SJ 1768

03/25/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1767

03/26/2024 Senate—Final Action - Not passed; Yea: 13 Nay: 24—SJ 1796

S 428

Bill by Education

Requiring that each attendance center needs assessment be conducted by the local board of education and include input from board members, teachers,

school site councils and school administrators and that board members receive certain state assessment data and identifying allocations of money in the school district budget and budget summary.

01/30/2024 Senate—Introduced—SJ 1452
 01/31/2024 Senate—Referred to Committee on Education—SJ 1459
 02/23/2024 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 1593
 02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 1596
 03/06/2024 Senate—Hearing: Wednesday, March 13, 2024, 1:30 PM Room 144-S
 03/12/2024 Senate—Hearing: Wednesday, March 13, 2024, 12:00 PM Room 144-S
 03/25/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Education
 04/30/2024 Senate—Died on Calendar

S 429 Bill by Assessment and Taxation
Reducing the state rate of tax on sales of food and food ingredients to 0% on April 1, 2024.

01/30/2024 Senate—Introduced—SJ 1452
 01/31/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1459
 04/30/2024 Senate—Died in Committee

S 430 Bill by Commerce
Providing workers compensation act coverage for the Kansas national guard, limiting benefit reductions for retirement benefits, increasing dependents death benefits, reducing certain functional impairment requirements, increasing compensation for certain disability categories and for treatment without authorization, raising the evidentiary standard for future medical treatment, limiting certain procedures for post-award medical benefit claims, allowing benefit payment by funds transfer or payment cards, establishing procedures for neutral healthcare examinations, exchanges and admission of medical reports, extending employee injury notification deadlines, eliminating the deadline for motions to avoid dismissal for lack of prosecution, providing for expedited settlement and digital recording of hearings and other changes to the workers compensation act.

01/31/2024 Senate—Introduced—SJ 1457
 02/01/2024 Senate—Referred to Committee on Commerce—SJ 1470
 02/07/2024 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 1484
 02/20/2024 Senate—Committee of the Whole - Be passed—SJ 1539
 02/21/2024 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1560
 02/21/2024 House—Received and Introduced—HJ 1819
 02/22/2024 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1826
 02/29/2024 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Commerce, Labor and Economic Development—HJ 1877
 03/05/2024 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 1883
 03/27/2024 House—Committee of the Whole - Be passed—HJ 2373
 03/27/2024 House—Emergency Final Action - Passed; Yea: 122 Nay: 0—HJ 2388
 04/05/2024 Senate—Enrolled and presented to Governor on Friday, April 5, 2024—SJ 2669
 04/25/2024 Senate—Approved by Governor on Thursday, April 11, 2024

S 431 Bill by Senators Blasi, Bowers, Wilborn
Directing the capitol preservation committee to approve plans for a memorial

honoring Emil Joseph Kapaun.

01/31/2024 Senate—Introduced—SJ 1458
02/01/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1470
02/08/2024 Senate—Hearing: Wednesday, February 14, 2024, 10:30 AM Room 144-S
02/14/2024 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1507
02/20/2024 Senate—Committee of the Whole - Be passed—SJ 1539
02/21/2024 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1561
02/21/2024 House—Received and Introduced—HJ 1819
02/22/2024 House—Referred to Committee on Veterans and Military—HJ 1826
02/28/2024 House—Hearing: Tuesday, March 5, 2024, 9:00 AM Room 281-N
03/07/2024 House—Committee Report recommending bill be passed by Committee on Veterans and Military—HJ 1912
03/14/2024 House—Committee of the Whole - Be passed—HJ 1952
03/14/2024 House—Emergency Final Action - Passed; Yea: 121 Nay: 0—HJ 1953
03/19/2024 Senate—Enrolled and presented to Governor on Tuesday, March 19, 2024—SJ 1733
03/25/2024 Senate—Approved by Governor on Friday, March 22, 2024

S 432

Bill by Senators Holscher, Peck
Prohibiting advertising of sports wagering through internet websites and electronic device applications.

01/31/2024 Senate—Introduced—SJ 1458
02/01/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1470
04/30/2024 Senate—Died in Committee

S 433

Bill by Public Health and Welfare
Clarifying practice privileges of institutional license holders.

02/01/2024 Senate—Introduced—SJ 1466
02/02/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1472
02/15/2024 Senate—Hearing: Monday, February 19, 2024, 8:30 AM Room 142-S
02/20/2024 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 1550
02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
02/22/2024 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 1584
02/22/2024 House—Received and Introduced—HJ 1866
02/23/2024 House—Referred to Committee on Health and Human Services—HJ 1868
02/28/2024 House—Hearing: Tuesday, March 5, 2024, 1:30 PM Room 112-N
03/06/2024 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 1893
03/25/2024 House—Committee of the Whole - Be passed—HJ 2297
03/26/2024 House—Final Action - Passed; Yea: 121 Nay: 2—HJ 2317
04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ 1848
04/04/2024 Senate—Approved by Governor on Thursday, April 4, 2024—SJ 1871

S 434

Bill by Public Health and Welfare
Exempting the practice of hair removal by sugaring from the definition of cosmetology.

02/01/2024 Senate—Introduced—SJ 1467
02/02/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1472
02/07/2024 Senate—Hearing: Tuesday, February 13, 2024, 8:30 AM Room 142-S
02/19/2024 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 1534
02/21/2024 Senate—Committee of the Whole - Amendment by Senator Francisco was adopted—SJ 1557
02/21/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1556

02/22/2024 Senate—Final Action - Passed as amended; Yea: 38 Nay: 1—SJ 1585
 02/28/2024 House—Received and Introduced—HJ 1871
 02/29/2024 House—Referred to Committee on Federal and State Affairs—HJ 1874
 02/29/2024 House—Hearing: Wednesday, March 6, 2024, 9:00 AM Room 346-S
 03/20/2024 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 2264
 03/25/2024 House—Committee of the Whole - Be passed—HJ 2297
 03/26/2024 House—Final Action - Passed; Yea: 71 Nay: 52—HJ 2318
 04/02/2024 Senate—Enrolled and presented to Governor on Tuesday, April 2, 2024—SJ 1848
 04/25/2024 Senate—Vetoed by Governor; Returned to Senate on Friday, April 12, 2024
 04/30/2024 Senate—No motion to reconsider vetoed bill; Veto sustained

S 435 Bill by Federal and State Affairs
Providing a sales tax exemption for period products, diapers and incontinence products.

02/01/2024 Senate—Introduced—SJ 1467
 02/02/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1472
 02/29/2024 Senate—Hearing: Thursday, March 7, 2024, 9:30 AM Room 548-S
 03/26/2024 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 1802
 04/30/2024 Senate—Died on Calendar

S 436 Bill by Assessment and Taxation
Establishing a child income tax credit.

02/01/2024 Senate—Introduced—SJ 1467
 02/02/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1472
 04/30/2024 Senate—Died in Committee

S 437 Bill by Education
Establishing the Kansas education enrichment program to provide educational awards to elementary and secondary school students for qualifying expenses for educational goods and services.

02/01/2024 Senate—Introduced—SJ 1467
 02/02/2024 Senate—Referred to Committee on Education—SJ 1472
 02/06/2024 Senate—Hearing: Thursday, February 15, 2024, 1:30 PM Room 144-S
 02/08/2024 Senate—Hearing: Wednesday, February 14, 2024, 1:30 PM Room 144-S
 04/30/2024 Senate—Died in Committee

S 438 Bill by Education
Establishing the Kansas blueprint for literacy and a literacy advisory committee, directing the board of regents to appoint a director of literacy education, requiring the board of regents and board of education to collaborate on a literacy micro-credential, providing university presidents and deans of education oversight over postsecondary literacy courses, requiring a plan to establish centers of excellence in reading, requiring the board of education to submit annual reports to the legislature on literacy goals; establishing the Kansas education opportunity scholarship to replace the Kansas ethnic minority scholarship, removing limits on Kansas nursing service scholarship awards and modifying the interest rate terms and repayment obligations for such awards, eliminating the requirement to subtract other aid from the state payment for the AO-K program, modifying financial limitations on Kansas hero's scholarship awards and broadening eligibility requirements for such awards.

02/01/2024 Senate—Introduced—SJ 1467
 02/02/2024 Senate—Referred to Committee on Education—SJ 1472

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02/06/2024 Senate—Hearing: Wednesday, February 14, 2024, 1:30 PM Room 144-S
02/20/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Education—SJ 1545
02/22/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1579
02/22/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1579
02/22/2024 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ
1589
02/28/2024 House—Received and Introduced—HJ 1871
02/29/2024 House—Referred to Committee on K-12 Education Budget—HJ 1874
03/11/2024 House—Withdrawn from Committee on K-12 Education Budget; Referred to
Committee on Education—HJ 1916
03/14/2024 House—Hearing: Wednesday, March 20, 2024, 1:30 PM Room 218-N
03/25/2024 House—Committee Report recommending bill be passed by Committee on
Education—HJ 2287
03/27/2024 House—Committee of the Whole - Amendment by Representative Thomas
was adopted—HJ 2375
03/27/2024 House—Committee of the Whole - Be passed as amended—HJ 2375
03/27/2024 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ
2385
03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested;
appointed Senator Baumgardner, Senator Erickson and Senator Sykes as
conferees—SJ 1823
04/01/2024 House—Motion to accede adopted; Representative Thomas, Representative
Estes and Representative Stogsdill appointed as conferees—HJ 2403
04/04/2024 House—Conference Committee Report agree to disagree adopted;
Representative Thomas, Representative Estes and Representative Stogsdill
appointed as second conferees—HJ 2485
04/04/2024 Senate—Conference Committee Report agree to disagree adopted; Senator
Baumgardner, Senator Erickson and Senator Sykes appointed as second
conferees—SJ 1932
04/04/2024 House—Conference Committee Report was adopted; Yea: 98 Nay: 22—HJ
2573
04/05/2024 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 3—SJ
2468
04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024
04/25/2024 Senate—Approved by Governor on Wednesday, April 24, 2024

S 439

Bill by Judiciary

**Prohibiting the use of restraints during hearings under the revised Kansas juvenile
justice code unless restraints are deemed appropriate by the court.**

02/01/2024 Senate—Introduced—SJ 1467
02/02/2024 Senate—Referred to Committee on Judiciary—SJ 1472
04/30/2024 Senate—Died in Committee

S 440

Bill by Judiciary

**Prohibiting suspension of a person's driving privileges or driver's license due to
nonpayment of fines or court costs from traffic citations.**

02/01/2024 Senate—Introduced—SJ 1467
02/02/2024 Senate—Referred to Committee on Judiciary—SJ 1472
04/30/2024 Senate—Died in Committee

S 441

Bill by Judiciary

**Enacting the fairness in condemnation act to require the condemning authority to
provide the property owner notice of a planned condemnation proceeding,
an offer for purchase and a court review of compliance with this act.**

02/01/2024 Senate—Introduced—SJ 1467
02/02/2024 Senate—Referred to Committee on Judiciary—SJ 1472

04/30/2024 Senate—Died in Committee

- S 442** Bill by Judiciary
Prohibiting assignment of persons found not guilty by reason of mental disease or defect to supervision by court services officers.
 02/01/2024 Senate—Introduced—SJ 1467
 02/02/2024 Senate—Referred to Committee on Judiciary—SJ 1472
 04/30/2024 Senate—Died in Committee
- S 443** Bill by Judiciary
Requiring landowners whose land is taken by eminent domain for electric transmission lines to be compensated at not less than fair market value multiplied by 150%.
 02/01/2024 Senate—Introduced—SJ 1467
 02/02/2024 Senate—Referred to Committee on Utilities—SJ 1472
 04/30/2024 Senate—Died in Committee
- S 444** Bill by Judiciary
Providing that the attorney members of the board of trustees of a county law library in certain counties shall be appointed by the chief judge of the judicial district and allowing such boards to authorize the chief judge to use certain fees for the purpose of facilitating and enhancing functions of the district court of the county.
 02/01/2024 Senate—Introduced—SJ 1467
 02/02/2024 Senate—Referred to Committee on Judiciary—SJ 1472
 04/30/2024 Senate—Died in Committee
- S 445** Bill by Federal and State Affairs
Establishing minimum training requirements for law enforcement and emergency medical services personnel on interacting with individuals with dementia.
 02/02/2024 Senate—Introduced—SJ 1472
 02/05/2024 Senate—Referred to Committee on Ways and Means—SJ 1475
 04/30/2024 Senate—Died in Committee
- S 446** Bill by Federal and State Affairs
Prohibiting acquisitions of ownership interests in certain Kansas real property by foreign individuals and entities unless authorized by the state land council and establishing the state land council.
 02/02/2024 Senate—Introduced—SJ 1472
 02/05/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1475
 02/05/2024 Senate—Hearing: Wednesday, February 7, 2024, 10:30 AM Room 144-S
 04/30/2024 Senate—Died in Committee
- S 447** Bill by Federal and State Affairs
Directing the state treasurer to establish a mortgage insurance program for certain individuals and establishing the homes for every local protector, educator and responder act of Kansas.
 02/05/2024 Senate—Introduced—SJ 1474
 02/06/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1479
 04/30/2024 Senate—Died in Committee
- S 448** Bill by Judiciary
Establishing procedures in the Kansas code of procedure for municipal courts related to determination of an accused person's competency to stand trial

and requiring the secretary for aging and disability services to reimburse counties for the costs of keeping persons in the custody of a county jail awaiting examination, evaluation or treatment.

02/05/2024 Senate—Introduced—SJ 1474

02/06/2024 Senate—Referred to Committee on Judiciary—SJ 1479

02/07/2024 Senate—Hearing: Wednesday, February 14, 2024, 10:30 AM Room 346-S

04/30/2024 Senate—Died in Committee

S 449 Bill by Judiciary
Expanding the definition of healthcare provider for individuals providing care at the scene of an emergency or accident.

02/05/2024 Senate—Introduced—SJ 1475

02/06/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1479

04/30/2024 Senate—Died in Committee

S 450 Bill by Public Health and Welfare
Establishing the Kansas Alzheimer's disease advisory council.

02/05/2024 Senate—Introduced—SJ 1475

02/06/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1479

04/30/2024 Senate—Died in Committee

S 451 Bill by Assessment and Taxation
Creating the Dwayne Peaslee technical training center district act to authorize the establishment of the Dwayne Peaslee technical training center district in Douglas county.

02/05/2024 Senate—Introduced—SJ 1475

02/06/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1479

04/30/2024 Senate—Died in Committee

S 452 Bill by Assessment and Taxation
Excluding certain school district bond and interest levies from increased property tax homestead refund claim amounts.

02/05/2024 Senate—Introduced—SJ 1475

02/06/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1479

02/08/2024 Senate—Hearing: Tuesday, February 13, 2024, 9:30 AM Room 548-S

04/30/2024 Senate—Died in Committee

S 453 Bill by Assessment and Taxation
Excluding social security payments from household income and expanding eligibility related to increased property tax homestead property tax refund claims.

02/05/2024 Senate—Introduced—SJ 1475

02/06/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1479

02/07/2024 Senate—Hearing: Thursday, February 15, 2024, 9:30 AM Room 548-S

04/30/2024 Senate—Died in Committee

S 454 Bill by Assessment and Taxation
Providing a sales tax exemption for purchases of property and services by nonprofit organizations distributing food pursuant to a food distribution program on a charitable basis.

02/05/2024 Senate—Introduced—SJ 1475

02/06/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1479

04/30/2024 Senate—Died in Committee

S 455

Bill by Utilities

Prohibiting public utilities from exercising eminent domain for the siting or placement of solar generation facilities.

02/06/2024 Senate—Introduced—SJ 1476

02/07/2024 Senate—Referred to Committee on Utilities—SJ 1483

02/07/2024 Senate—Hearing: Wednesday, February 14, 2024, 1:30 PM Room 548-S

02/20/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 1552

02/22/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1579

02/22/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1579

02/22/2024 Senate—Emergency Final Action - Passed as amended; Yea: 29 Nay: 8—SJ 1590

02/28/2024 House—Received and Introduced—HJ 1871

02/29/2024 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 1874

03/12/2024 House—Hearing: Thursday, March 14, 2024, 9:00 AM Room 582-N

03/20/2024 House—Committee Report recommending bill be passed as amended by Committee on Energy, Utilities and Telecommunications—HJ 2263

03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2286

03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2286

03/26/2024 House—Final Action - Passed as amended; Yea: 107 Nay: 16—HJ 2319

04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Fagg, Senator Petersen and Senator Francisco as conferees—SJ 1842

04/01/2024 House—Motion to accede adopted; Representative Delperdang, Representative Turner and Representative Ohaebosim appointed as conferees—HJ 2406

04/03/2024 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 2431

04/04/2024 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 0—SJ 1934

04/25/2024 Senate—Enrolled and presented to Governor on Friday, April 12, 2024

04/25/2024 Senate—Approved by Governor on Monday, April 22, 2024

S 456

Bill by Utilities

Establishing a rebuttable presumption against retirement of fossil fuel-fired electric generating units, requiring the state corporation commission to report on such retirements and extending the timelines for the commission to make a determination regarding rate-making treatment for generating or transmission facilities.

02/06/2024 Senate—Introduced—SJ 1476

02/07/2024 Senate—Referred to Committee on Utilities—SJ 1483

02/07/2024 Senate—Hearing: Thursday, February 15, 2024, 1:30 PM Room 548-S

04/30/2024 Senate—Died in Committee

S 457

Bill by Utilities

Prohibiting public utilities from exercising eminent domain for the siting or placement of solar facilities.

02/06/2024 Senate—Introduced—SJ 1477

02/07/2024 Senate—Referred to Committee on Utilities—SJ 1483

02/14/2024 Senate—Hearing: Monday, February 19, 2024, 1:30 PM Room 548-S

02/20/2024 Senate—Committee Report recommending bill be passed by Committee on Utilities—SJ 1550

02/22/2024 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 1579

02/23/2024 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1593

02/28/2024 Senate—Withdrawn from Committee on Ways and Means and referred to Committee of the Whole—SJ 1596
03/27/2024 Senate—Committee of the Whole - Amendment by Senator Fagg was adopted—SJ 1814
03/27/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1813
03/27/2024 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 1824
04/01/2024 House—Received and Introduced—HJ 2405
04/02/2024 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 2413
04/30/2024 House—Died in House Committee

S 458

Bill by Judiciary

Specifying that certain drug offenses do not give rise to forfeiture under the Kansas standard asset seizure and forfeiture act, providing limitations on state and local law enforcement agency requests for federal adoption of a seizure under the act, requiring probable cause affidavit filing and review to commence forfeiture proceedings, increasing the burden of proof required to forfeit property to clear and convincing evidence, authorizing courts to order payment of attorney fees and costs for certain claimants and requiring the Kansas bureau of investigation to submit forfeiture fund financial reports to the legislature.

02/06/2024 Senate—Introduced—SJ 1477
02/07/2024 Senate—Referred to Committee on Judiciary—SJ 1483
02/07/2024 Senate—Hearing: Tuesday, February 13, 2024, 10:30 AM Room 346-S
02/19/2024 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1534
02/22/2024 Senate—Committee of the Whole - Be passed—SJ 1579
02/22/2024 Senate—Emergency Final Action - Passed; Yea: 36 Nay: 2—SJ 1590
02/23/2024 House—Received and Introduced—HJ 1868
02/28/2024 House—Referred to Committee on Judiciary—HJ 1870
03/06/2024 House—Hearing: Tuesday, March 12, 2024, 3:30 PM Room 582-N
03/22/2024 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2280
03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2286
03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2286
03/26/2024 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 2320
03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 1823
04/01/2024 House—Motion to accede adopted; Representative Humphries, Representative Lewis and Representative Osman appointed as conferees—HJ 2403
04/05/2024 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 3247
04/05/2024 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 0—SJ 2471
04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024
04/25/2024 Senate—Approved by Governor on Tuesday, April 23, 2024

S 459

Bill by Transportation

Authorizing the director of vehicles to adopt rules and regulations for participation in the federal motor carriers safety administration's drug and alcohol clearinghouse and allowing for the disqualification of commercial vehicle driving privileges when a driver has violated or is noncompliance with the requirements of the clearinghouse.

02/06/2024 Senate—Introduced—SJ 1477

02/07/2024 Senate—Referred to Committee on Transportation—SJ 1483
 04/30/2024 Senate—Died in Committee

- S 460** Bill by Public Health and Welfare
Requiring the secretary of health and environment to adopt anaphylaxis prevention and response policies for schools and day care facilities that set forth guidelines and procedures to prevent and respond to anaphylaxis.
 02/06/2024 Senate—Introduced—SJ 1477
 02/07/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1483
 04/30/2024 Senate—Died in Committee

- S 461** Bill by Public Health and Welfare
Creating the laser hair removal act to restrict the performance of laser hair removal to certain medical professionals.
 02/06/2024 Senate—Introduced—SJ 1477
 02/07/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1483
 02/07/2024 Senate—Hearing: Tuesday, February 13, 2024, 8:30 AM Room 142-S
 02/23/2024 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 1593
 02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 1596
 04/30/2024 Senate—Died in Committee

- S 462** Bill by Transportation
Authorizing the director of vehicles to adopt rules and regulation for participation in the federal motor carrier safety administration's drug and alcohol clearinghouse program and authorizing the director of vehicles to waive the commercial driver's license knowledge and skills test for an applicant that provides evidence that such applicant qualifies for the military even exchange program.
 02/06/2024 Senate—Introduced—SJ 1477
 02/07/2024 Senate—Referred to Committee on Transportation—SJ 1483
 02/14/2024 Senate—Hearing: Monday, February 19, 2024, 8:30 AM Room 546-S
 02/20/2024 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 1550
 02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
 02/22/2024 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 1585
 02/22/2024 House—Received and Introduced—HJ 1866
 02/23/2024 House—Referred to Committee on Transportation—HJ 1868
 03/11/2024 House—Hearing: Wednesday, March 13, 2024, 1:30 PM Room 582-N
 03/13/2024 House—Hearing: Thursday, March 14, 2024, 1:30 PM Room 582-N
 03/15/2024 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 1959
 03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2286
 03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2286
 03/26/2024 House—Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 2320
 03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Petersen, Senator Kloos and Senator Corson as conferees—SJ 1823
 04/01/2024 House—Motion to accede adopted; Representative Francis, Representative Neely and Representative Ballard appointed as conferees—HJ 2403
 04/02/2024 Senate—Concurred with amendments in conference; Yea: 38 Nay: 1—SJ 1847
 04/05/2024 Senate—Enrolled and presented to Governor on Friday, April 5, 2024—SJ 2669
 04/25/2024 Senate—Approved by Governor on Monday, April 15, 2024

- S 463** Bill by Judiciary
Changing the membership of the Kansas judicial council from four resident lawyers to one resident lawyer from each congressional district.
02/06/2024 Senate—Introduced—SJ 1477
02/07/2024 Senate—Referred to Committee on Judiciary—SJ 1483
04/30/2024 Senate—Died in Committee
- S 464** Bill by Senator Faust-Goudeau
Creating the Kansas small, minority, woman, disadvantaged and service-disabled veteran business enterprise development act, providing for development of such business enterprises through greater participation in providing goods and services to state agencies and postsecondary educational institutions and requiring development of plans and goals for such participation, establishing the office of minority and women business development within the department of commerce and providing for an advisory committee on certified small business enterprises.
02/06/2024 Senate—Introduced—SJ 1477
02/07/2024 Senate—Referred to Committee on Commerce—SJ 1483
04/30/2024 Senate—Died in Committee
- S 465** Bill by Education
Authorizing school districts to levy an annual levy of up to two mills for the purposes of school building safety, security and compliance with the Americans with disabilities act and including such levy in the capital outlay state aid determination for such school districts.
02/06/2024 Senate—Introduced—SJ 1478
02/07/2024 Senate—Referred to Committee on Education—SJ 1483
02/08/2024 Senate—Hearing: Thursday, February 15, 2024, 1:30 PM Room 144-S
04/30/2024 Senate—Died in Committee
- S 466** Bill by Assessment and Taxation
Permitting purchasers to pay the sales tax on sales of trailers to the director of taxation or county treasurer instead of being collected by retailers.
02/06/2024 Senate—Introduced—SJ 1478
02/07/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1483
04/30/2024 Senate—Died in Committee
- S 467** Bill by Commerce
Increasing the membership appointed by the governor on the council on travel and tourism and updating the house committee assignment required for house members from the committee on agriculture and natural resources to the committee on commerce, labor and economic development;reducing the required allocation of funds from the department of commerce's matching grant program for the promotion of tourism by public and nonprofit entities and removing the restriction on the percentage of such funds granted to a single entity.
02/06/2024 Senate—Introduced—SJ 1478
02/07/2024 Senate—Referred to Committee on Commerce—SJ 1483
02/20/2024 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 1544
02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556
02/22/2024 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 1585
02/22/2024 House—Received and Introduced—HJ 1866
02/23/2024 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 1868
03/21/2024 House—Committee Report recommending bill be passed as amended by

Committee on Commerce, Labor and Economic Development—HJ 2277
 03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2298
 03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2298
 03/26/2024 House—Final Action - Passed as amended; Yea: 117 Nay: 6—HJ 2321
 03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Erickson, Senator Dietrich and Senator Reddi as conferees—SJ 1823
 04/01/2024 House—Motion to accede adopted; Representative Tarwater, Representative Borjon and Representative Probst appointed as conferees—HJ 2403
 04/05/2024 House—Conference Committee Report was adopted; Yea: 94 Nay: 26—HJ 3201
 04/30/2024 Senate—Died in Conference

- S 468** Bill by Assessment and Taxation
Prohibiting cities and counties that grant or approve certain property tax exemptions or tax increment financing from exceeding their revenue neutral rates for property tax purposes.
 02/06/2024 Senate—Introduced—SJ 1478
 02/07/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1483
 02/07/2024 Senate—Hearing: Wednesday, February 14, 2024, 9:30 AM Room 548-S
 03/13/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1653
 04/30/2024 Senate—Died on Calendar
- S 469** Bill by Education
Establishing the sunflower education equity act to provide education savings accounts for certain students.
 02/06/2024 Senate—Introduced—SJ 1478
 02/07/2024 Senate—Referred to Committee on Education—SJ 1483
 02/23/2024 Senate—Withdrawn from Committee on Education; Referred to Committee on Ways and Means—SJ 1593
 02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Education—SJ 1596
 04/30/2024 Senate—Died in Committee
- S 470** Bill by Education
Including Wichita technical institute as an eligible postsecondary educational institution in the Kansas promise scholarship act.
 02/06/2024 Senate—Introduced—SJ 1478
 02/07/2024 Senate—Referred to Committee on Education—SJ 1483
 04/30/2024 Senate—Died in Committee
- S 471** Bill by Federal and State Affairs
Prohibiting a state agency, city or county from restricting the sale or use of motor vehicles based on the energy source used for the vehicles; allowing a state agency, city and county to have their own purchase policies for motor vehicles.
 02/06/2024 Senate—Introduced—SJ 1478
 02/07/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1483
 04/30/2024 Senate—Died in Committee
- S 472** Bill by Federal and State Affairs
Creating the crime of unlawful sexual communication and providing criminal penalties therefor.
 02/06/2024 Senate—Introduced—SJ 1479
 02/07/2024 Senate—Referred to Committee on Judiciary—SJ 1483

BILLS 110

04/30/2024 Senate—Died in Committee

S 473

Bill by Judiciary

Authorizing a notice to appear that meets certain requirements to serve as a lawful complaint under the Kansas code of criminal procedure, requiring a minimum bond premium in district court and providing reasons for suspending or terminating authorization of a compensated surety.

02/06/2024 Senate—Introduced—SJ 1479

02/07/2024 Senate—Referred to Committee on Judiciary—SJ 1483

02/13/2024 Senate—Hearing: Thursday, February 15, 2024, 10:30 AM Room 346-S

02/20/2024 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1550

02/21/2024 Senate—Committee of the Whole - Be passed—SJ 1556

02/22/2024 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 1586

02/22/2024 House—Received and Introduced—HJ 1866

02/23/2024 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1868

03/06/2024 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Judiciary—HJ 1888

03/06/2024 House—Hearing: Thursday, March 7, 2024, 3:30 PM Room 582-N

03/19/2024 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 2250

03/25/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2286

03/25/2024 House—Committee of the Whole - Amendment by Representative Carmichael was rejected—HJ 2286

03/25/2024 House—Committee of the Whole - Be passed as amended—HJ 2286

03/26/2024 House—Final Action - Passed as amended; Yea: 82 Nay: 41—HJ 2322

03/27/2024 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 1824

04/01/2024 House—Motion to accede adopted; Representative Humphries, Representative Lewis and Representative Osman appointed as conferees—HJ 2403

04/05/2024 Senate—Concurred with amendments in conference; Yea: 23 Nay: 10—SJ 2059

04/25/2024 Senate—Enrolled and presented to Governor on Monday, April 15, 2024

04/25/2024 Senate—Vetoed by Governor; Returned to Senate on Wednesday, April 24, 2024

04/29/2024 Senate—Motion to override veto prevailed; Yea: 27 Nay: 12—SJ 2759

04/29/2024 House—Motion to override veto prevailed; Yea: 87 Nay: 38—HJ 3489

S 474

Bill by Federal and State Affairs

Eliminating the administrative ordinance restriction in the city initiative statute.

02/07/2024 Senate—Introduced—SJ 1481

02/08/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1488

02/14/2024 Senate—Hearing: Tuesday, February 20, 2024, 10:30 AM Room 144-S

04/30/2024 Senate—Died in Committee

S 475

Bill by Federal and State Affairs

Eliminating school district open enrollment requirements and authorizing school districts to determine nonresident student enrollment.

02/07/2024 Senate—Introduced—SJ 1481

02/08/2024 Senate—Referred to Committee on Education—SJ 1488

04/30/2024 Senate—Died in Committee

- S 476** Bill by Transportation
Creating a crime for operating a motor vehicle at a speed of 100 miles per hour or more and providing a penalty therefor.
 02/07/2024 Senate—Introduced—SJ 1481
 02/08/2024 Senate—Referred to Committee on Transportation—SJ 1488
 02/08/2024 Senate—Hearing: Thursday, February 15, 2024, 8:30 AM Room 546-S
 02/21/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 1575
 04/30/2024 Senate—Died on Calendar
- S 477** Bill by Transportation
Providing for digital proof of driver's license and digital proof of identification card and regulating the use thereof.
 02/07/2024 Senate—Introduced—SJ 1481
 02/08/2024 Senate—Referred to Committee on Transportation—SJ 1488
 02/08/2024 Senate—Hearing: Thursday, February 15, 2024, 8:30 AM Room 546-S
 04/30/2024 Senate—Died in Committee
- S 478** Bill by Commerce
Defining benefit year, temporary unemployment and other terms in the employment security law, requiring electronic filing for certain employers, establishing qualifications for employment security board of review candidates, extending the deadline for new accounts following business acquisitions, making certain changes to the employer rate schedules, enabling employers to report claimant work search issues, confirming legislative coordinating council oversight for the new unemployment insurance information technology system implementation, authorizing the secretary to grant temporary unemployment, requiring the secretary to annually publish certain data and abolishing the employment security interest assessment fund.
 02/07/2024 Senate—Introduced—SJ 1481
 02/08/2024 Senate—Referred to Committee on Commerce—SJ 1488
 04/30/2024 Senate—Died in Committee
- S 479** Bill by Senators Kloos, Baumgardner, Blasi, Erickson, Thompson
Transferring teachers from the KPERS 3 cash balance plan to the KPERS 2 plan and defining teachers for purposes of KPERS.
 02/07/2024 Senate—Introduced—SJ 1482
 02/08/2024 Senate—Referred to Committee on Education—SJ 1488
 02/28/2024 Senate—Hearing: Tuesday, March 5, 2024, 1:30 PM Room 144-S
 04/30/2024 Senate—Died in Committee
- S 480** Bill by Assessment and Taxation
Authorizing teleconference or video conference hearings in the small claims and expedited hearings division of the state board of tax appeals.
 02/07/2024 Senate—Introduced—SJ 1482
 02/08/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1488
 02/08/2024 Senate—Hearing: Tuesday, February 13, 2024, 9:30 AM Room 548-S
 02/20/2024 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation
 03/14/2024 Senate—Committee of the Whole - Be passed—SJ 1659
 03/14/2024 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 1—SJ 1708
 03/15/2024 House—Received and Introduced—HJ 1959
 03/18/2024 House—Referred to Committee on Taxation—HJ 1961
 04/30/2024 House—Died in House Committee

- S 481** Bill by Ways and Means
Renaming Kansas state university polytechnic campus as Kansas state university Salina.
02/07/2024 Senate—Introduced—SJ 1482
02/08/2024 Senate—Referred to Committee on Ways and Means—SJ 1488
02/09/2024 Senate—Hearing: Tuesday, February 13, 2024, 10:30 AM Room 548-S
02/21/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 1576
02/22/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1579
02/22/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1579
02/22/2024 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 1591
02/28/2024 House—Received and Introduced—HJ 1871
02/29/2024 House—Referred to Committee on Higher Education Budget—HJ 1874
03/11/2024 House—Hearing: Wednesday, March 13, 2024, 1:30 PM Room 281-N
03/14/2024 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Higher Education Budget—HJ 1955
03/21/2024 House—Final Action - Passed; Yea: 119 Nay: 1—HJ 2272
03/26/2024 Senate—Enrolled and presented to Governor on Tuesday, March 26, 2024—SJ 1811
04/01/2024 Senate—Approved by Governor on Friday, March 29, 2024
- S 482** Bill by Ways and Means
Providing that county clerks are not required to send revenue neutral rate notices to property owners of exempt property, modifying and prescribing the contents of the revenue neutral rate hearing notice, permitting a tax levy that generates the same amount of revenue as the previous year when the final assessed valuation decreases compared to the estimated assessed valuation and requiring that the governing body's vote be conducted on the same day as the commencement of the hearing.
02/07/2024 Senate—Introduced—SJ 1482
02/08/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1488
02/14/2024 Senate—Hearing: Thursday, February 15, 2024, 9:30 AM Room 548-S
02/21/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1562
03/14/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1659
03/14/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1659
03/14/2024 Senate—Emergency Final Action - Passed as amended; Yea: 32 Nay: 8—SJ 1708
03/18/2024 House—Received and Introduced—HJ 1961
03/19/2024 House—Referred to Committee on Taxation—HJ 1966
04/30/2024 House—Died in House Committee
- S 483** Bill by Judiciary
Establishing the crime of interference with a security camera in a correctional facility.
02/07/2024 Senate—Introduced—SJ 1482
02/08/2024 Senate—Referred to Committee on Judiciary—SJ 1488
04/30/2024 Senate—Died in Committee
- S 484** Bill by Ways and Means
Providing property tax exemptions for certain personal property including watercraft, marine equipment, off-road vehicles, motorized bicycles and certain trailers.
02/07/2024 Senate—Introduced—SJ 1482
02/08/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1488
02/08/2024 Senate—Hearing: Thursday, February 15, 2024, 9:30 AM Room 548-S

02/21/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Assessment and Taxation—SJ 1562
03/14/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1659
03/14/2024 Senate—Committee of the Whole - Amendment by Senator Peck was
adopted—SJ 1666
03/14/2024 Senate—Committee of the Whole - Be passed as further amended—SJ 1659
03/14/2024 Senate—Emergency Final Action - Passed as amended; Yea: 29 Nay: 11—SJ
1709
03/18/2024 House—Received and Introduced—HJ 1961
03/19/2024 House—Referred to Committee on Taxation—HJ 1966
04/30/2024 House—Died in House Committee

S 485

Bill by Education

Authorizing students attending public schools with low proficiency scores and certain private elementary and secondary school students to participate in the tax credit for low income students scholarship program.

02/07/2024 Senate—Introduced—SJ 1482
02/08/2024 Senate—Referred to Committee on Education—SJ 1488
04/30/2024 Senate—Died in Committee

S 486

Bill by Commerce

Changing the fee charged by the department of commerce for applications for certain economic development programs from a flat fee to a certain percentage of the total economic development incentive program package as determined by the secretary of commerce within a specified percentage range.

02/08/2024 Senate—Introduced—SJ 1486
02/09/2024 Senate—Referred to Committee on Commerce—SJ 1490
04/30/2024 Senate—Died in Committee

S 487

Bill by Federal and State Affairs

Authorizing counties to contract with other counties to share 911 public safety answering point services and authorizing the distribution of 911 fee moneys to counties for such purposes.

02/08/2024 Senate—Introduced—SJ 1486
02/09/2024 Senate—Referred to Committee on Utilities—SJ 1491
02/15/2024 Senate—Hearing: Tuesday, February 20, 2024, 1:30 PM Room 548-S
03/04/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Utilities
04/30/2024 Senate—Died on Calendar

S 488

Bill by Public Health and Welfare

Expanding the scope of the inspector general to audit and investigate all state cash, food or health assistance programs and granting the inspector general the power to subpoena, administer oaths and execute search warrants thereto.

02/08/2024 Senate—Introduced—SJ 1486
02/09/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1491
02/14/2024 Senate—Hearing: Monday, February 19, 2024, 8:30 AM Room 142-S
02/23/2024 Senate—Withdrawn from Committee on Public Health and Welfare; Referred
to Committee on Ways and Means—SJ 1593
02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to
Committee on Public Health and Welfare—SJ 1596
03/18/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Public Health and Welfare
03/25/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1767
03/25/2024 Senate—Committee of the Whole - Amendment by Senator Claeys was

adopted—SJ 1768

03/25/2024 Senate—Committee of the Whole - Be passed as further amended—SJ 1767

03/26/2024 Senate—Final Action - Passed as amended; Yea: 22 Nay: 18—SJ 1797

04/01/2024 House—Received and Introduced—HJ 2405

04/02/2024 House—Referred to Committee on Health and Human Services—HJ 2413

04/30/2024 House—Died in House Committee

S 489 Bill by Public Health and Welfare

Directing the department of corrections to establish a correctional center nursery for incarcerated expectant mothers and their child to allow certain expectant mothers to care and bond with their child for up to 36 months while incarcerated.

02/08/2024 Senate—Introduced—SJ 1487

02/09/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1491

02/14/2024 Senate—Hearing: Monday, February 19, 2024, 8:30 AM Room 142-S

02/23/2024 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 1593

02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 1596

04/30/2024 Senate—Died in Committee

S 490 Bill by Public Health and Welfare

Updating certain provisions of the optometry law relating to scope of practice, definitions and credentialing requirements.

02/08/2024 Senate—Introduced—SJ 1487

02/09/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1491

02/19/2024 Senate—Hearing: Tuesday, February 20, 2024, 8:30 AM Room 142-S

04/30/2024 Senate—Died in Committee

S 491 Bill by Judiciary

Standardizing criminal history record check fingerprinting language and defining who may be fingerprinted for a criminal history record check.

02/08/2024 Senate—Introduced—SJ 1487

02/09/2024 Senate—Referred to Committee on Judiciary—SJ 1491

02/14/2024 Senate—Hearing: Monday, February 19, 2024, 10:30 AM Room 346-S

02/21/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 1573

02/22/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1579

02/22/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1579

02/22/2024 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1591

02/28/2024 House—Received and Introduced—HJ 1871

02/29/2024 House—Referred to Committee on Corrections and Juvenile Justice—HJ 1874

03/07/2024 House—Hearing: Tuesday, March 12, 2024, 1:30 PM Room 546-S

03/14/2024 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Corrections and Juvenile Justice—HJ 1955

03/21/2024 House—Final Action - Passed; Yea: 119 Nay: 1—HJ 2272

03/28/2024 Senate—Enrolled and presented to Governor on Thursday, March 28, 2024—SJ 1843

04/04/2024 Senate—Approved by Governor on Thursday, April 4, 2024—SJ 1871

S 492 Bill by Judiciary

Repealing the prohibition on transportation of alcoholic beverages in opened containers and on drinking or consuming alcoholic liquor inside vehicles while on the public streets, alleys, roads or highways.

02/08/2024 Senate—Introduced—SJ 1487
 02/09/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1491
 04/30/2024 Senate—Died in Committee

S 493

Bill by Judiciary

Requiring ignition interlock device manufacturers to pay fees to the state for the administration of the ignition interlock program.

02/08/2024 Senate—Introduced—SJ 1487
 02/09/2024 Senate—Referred to Committee on Judiciary—SJ 1491
 02/12/2024 Senate—Hearing: Thursday, February 15, 2024, 10:30 AM Room 346-S
 02/19/2024 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 1534
 02/21/2024 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 1556
 02/23/2024 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 1593
 02/28/2024 Senate—Withdrawn from Committee on Ways and Means and referred to Committee of the Whole—SJ 1596
 03/21/2024 Senate—Committee of the Whole - Amendment by Senator Haley was rejected—SJ 1750
 03/21/2024 Senate—Committee of the Whole - Be passed—SJ 1750
 03/21/2024 Senate—Emergency Final Action - Passed; Yea: 28 Nay: 12—SJ 1754
 03/22/2024 House—Received and Introduced—HJ 2279
 03/25/2024 House—Referred to Committee on Corrections and Juvenile Justice—HJ 2283
 04/30/2024 House—Died in House Committee

S 494

Bill by Assessment and Taxation

Enacting the adoption savings account act, allowing individuals to establish adoption savings accounts with certain financial institutions, providing eligible expenses, requirements and restrictions for such accounts and establishing addition and subtraction modifications for contributions to such accounts under the Kansas income tax act.

02/08/2024 Senate—Introduced—SJ 1487
 02/09/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1490
 03/19/2024 Senate—Hearing: Wednesday, March 20, 2024, 9:30 AM Room 548-S
 04/30/2024 Senate—Died in Committee

S 495

Bill by Financial Institutions and Insurance

Modifying certain terms, definitions, deadlines and provisions contained in the uniform consumer credit code and transferring certain mortgage provisions from the uniform consumer credit code to the Kansas mortgage business act.

02/09/2024 Senate—Introduced—SJ 1489
 02/12/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1492
 02/12/2024 Senate—Hearing: Tuesday, February 13, 2024, 9:30 AM Room 546-S
 04/30/2024 Senate—Died in Committee

S 496

Bill by Public Health and Welfare

Expanding the scope of practice of naturopathic doctors, specifying continuing education requirements, increasing the required amount of professional liability insurance and modifying certain provisions relating to the licensure and regulations of naturopathic doctors.

02/09/2024 Senate—Introduced—SJ 1489
 02/12/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1492

02/23/2024 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 1593
02/28/2024 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 1596
04/30/2024 Senate—Died in Committee

S 497 Bill by Federal and State Affairs
Establishing the Pike reservoir project district act to provide for a lake and related commercial and residential development in Bourbon county and authorizing a governing board and sales and property tax increment financing for such project.

02/09/2024 Senate—Introduced—SJ 1490
02/12/2024 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 1492
04/30/2024 Senate—Died in Committee

S 498 Bill by Assessment and Taxation
Establishing a tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities, increasing the tax credit amount for adoption expenses and making the credit refundable and providing a sales tax exemption for pregnancy resource centers and residential maternity facilities.

02/09/2024 Senate—Introduced—SJ 1490
02/12/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1492
02/28/2024 Senate—Hearing: Tuesday, March 5, 2024, 9:30 AM Room 548-S
03/13/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1653
03/14/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1659
03/14/2024 Senate—Committee of the Whole - Amendment by Senator Sykes was rejected Yea: 11 Nay: 27—SJ 1666
03/14/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1659
03/14/2024 Senate—Emergency Final Action - Passed as amended; Yea: 28 Nay: 12—SJ 1709
03/18/2024 House—Received and Introduced—HJ 1961
03/19/2024 House—Referred to Committee on Taxation—HJ 1966
04/30/2024 House—Died in House Committee

S 499 Bill by Public Health and Welfare
Establishing the prevention of maternal mortality grant program fund within the department of health and environment, providing for competitive grants to fund programs for the prevention of maternal mortality and severe maternal morbidity, establishing the prevention of maternal mortality grant program fund and making transfers to such fund.

02/09/2024 Senate—Introduced—SJ 1490
02/12/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1492
04/30/2024 Senate—Died in Committee

S 500 Bill by Judiciary
Providing restricted driving privileges for certain individuals that fail to comply with a traffic citation, authorizing certain individuals with revoked driving privileges to be eligible for restricted driving privileges and permitting such individuals to drive to and from dropping off or picking up children from school or child care, to and from purchasing groceries or fuel and to and from religious worship services.

02/09/2024 Senate—Introduced—SJ 1490
02/12/2024 Senate—Referred to Committee on Judiciary—SJ 1492

02/12/2024 Senate—Hearing: Thursday, February 15, 2024, 10:30 AM Room 346-S
 02/21/2024 Senate—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—SJ 1574
 02/23/2024 Senate—Withdrawn from Calendar; Referred to Committee on Ways and
 Means—SJ 1593
 02/28/2024 Senate—Withdrawn from Committee on Ways and Means and referred to
 Committee of the Whole—SJ 1596
 03/13/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1644
 03/13/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1644
 03/14/2024 Senate—Final Action - Passed as amended; Yea: 38 Nay: 2—SJ 1706
 03/18/2024 House—Received and Introduced—HJ 1961
 03/19/2024 House—Referred to Committee on Judiciary—HJ 1966
 03/19/2024 House—Hearing: Wednesday, March 20, 2024, 3:30 PM Room 582-N
 03/25/2024 House—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—HJ 2295
 03/27/2024 House—Committee of the Whole - Committee Report be adopted—HJ 2375
 03/27/2024 House—Committee of the Whole - Amendment by Representative
 Humphries was adopted—HJ 2375
 03/27/2024 House—Committee of the Whole - Be passed as amended—HJ 2375
 03/27/2024 House—Emergency Final Action - Passed as amended; Yea: 121 Nay: 1—HJ
 2387
 04/01/2024 Senate—Nonconcurrent with amendments; Conference Committee requested;
 appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—
 SJ 1842
 04/02/2024 House—Motion to accede adopted; Representative Humphries,
 Representative Lewis and Representative Osman appointed as conferees—HJ
 2415
 04/05/2024 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ
 3246
 04/26/2024 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;
 04/26/2024 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 1
 04/30/2024 Senate—Enrolled and presented to Governor on Tuesday, April 30, 2024
 04/30/2024 Senate—Approved by Governor on Friday, May 10, 2024

S 501

Bill by Ways and Means

**Transferring certain child care programs to the Kansas office of early childhood
 and separating licensing duties between the secretary for health and
 environment and the executive director of early childhood.**

02/09/2024 Senate—Introduced—SJ 1490
 02/12/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1492
 04/30/2024 Senate—Died in Committee

S 502

Bill by Federal and State Affairs

**Terminating the KPERS 3 cash balance plan and transferring the members of such
 plan to the KPERS 2 plan.**

02/12/2024 Senate—Introduced—SJ 1492
 02/13/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ
 1496
 04/30/2024 Senate—Died in Committee

S 503

Bill by Federal and State Affairs

**Increasing the criminal penalties for knowingly and maliciously abandoning any
 animal in any place without making provisions for the proper care of the
 animal.**

02/12/2024 Senate—Introduced—SJ 1492
 02/13/2024 Senate—Referred to Committee on Judiciary—SJ 1496
 04/30/2024 Senate—Died in Committee

- S 504** Bill by Federal and State Affairs
Prohibiting the use of any prone restraint on a juvenile who is in custody at a juvenile detention facility or juvenile correctional facility or being assessed as part of the juvenile intake and assessment system.
02/12/2024 Senate—Introduced—SJ 1492
02/13/2024 Senate—Referred to Committee on Judiciary—SJ 1496
04/30/2024 Senate—Died in Committee
- S 505** Bill by Ways and Means
Increasing the KPERS retirement benefit multiplier for members who are security officers of the department of corrections.
02/13/2024 Senate—Introduced—SJ 1494
02/14/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1507
02/28/2024 Senate—Hearing: Tuesday, March 5, 2024, 9:30 AM Room 546-S
03/19/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance
04/30/2024 Senate—Died on Calendar
- S 506** Bill by Federal and State Affairs
Invalidate restrictive covenants that limits or prohibits the installation of solar panels and allowing the adoption of reasonable rules concerning solar panels.
02/13/2024 Senate—Introduced—SJ 1494
02/14/2024 Senate—Referred to Committee on Judiciary—SJ 1507
04/30/2024 Senate—Died in Committee
- S 507** Bill by Assessment and Taxation
Providing for the apportionment of business income by the single sales factor and requiring the use of single sales factor pursuant to the multistate tax compact.
02/13/2024 Senate—Introduced—SJ 1495
02/14/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1507
02/28/2024 Senate—Hearing: Wednesday, March 6, 2024, 9:30 AM Room 548-S
03/07/2024 Senate—Hearing: Thursday, March 14, 2024, 9:30 AM Room 548-S
04/30/2024 Senate—Died in Committee
- S 508** Bill by Federal and State Affairs
Permitting homeless veterans to use alternative forms of proof of identity and residency when applying for nondriver identification cards and eliminating fees for homeless veterans to obtain birth certificates and nondriver identification cards.
02/13/2024 Senate—Introduced—SJ 1495
02/14/2024 Senate—Referred to Committee on Judiciary—SJ 1507
04/30/2024 Senate—Died in Committee
- S 509** Bill by Assessment and Taxation
Establishing the education opportunity tax credit to provide an income tax credit for taxpayers with eligible dependent children not enrolled in public school.
02/13/2024 Senate—Introduced—SJ 1495
02/14/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1507
02/28/2024 Senate—Hearing: Wednesday, March 6, 2024, 9:30 AM Room 548-S
03/12/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1641
04/30/2024 Senate—Died on Calendar

- S 510** Bill by Federal and State Affairs
Requiring cities to reconnect property to the city sewer system if the property owner requests such reconnection and the disconnection was not a result of failure to pay sewer fees.
 02/13/2024 Senate—Introduced—SJ 1495
 02/14/2024 Senate—Referred to Committee on Local Government—SJ 1507
 02/21/2024 Senate—Hearing: Thursday, February 29, 2024, 9:30 AM Room 142-S
 03/12/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Local Government—SJ 1641
 04/30/2024 Senate—Died on Calendar
- S 511** Bill by Federal and State Affairs
Permitting beer and hard cider sales by microbreweries to retailers, public venues, clubs, drinking establishments, holders of temporary permits and caterers and allowing such sales at special events to consumers.
 02/13/2024 Senate—Introduced—SJ 1495
 02/14/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1507
 02/28/2024 Senate—Hearing: Tuesday, March 5, 2024, 10:30 AM Room 144-S
 04/30/2024 Senate—Died in Committee
- S 512** Bill by Federal and State Affairs
Prohibiting insurance companies from using environmental, social and governance criteria in the process of writing contracts of insurance, indemnity or suretyship, authorizing the attorney general or the county attorney or district attorney where a violation occurred to enforce such prohibition and providing a civil penalty for violations thereof.
 02/14/2024 Senate—Introduced—SJ 1507
 02/15/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1512
 04/30/2024 Senate—Died in Committee
- S 513** Bill by Federal and State Affairs
Enacting the Kansas specie legal tender act and the Kansas bullion depository act, authorizing the state treasurer to approve electronic currencies backed by specie legal tender and establish, administer or contract for the administration of bullion depositories and allowing for state moneys to be deposited in such bullion depositories and invested in specie legal tender.
 02/14/2024 Senate—Introduced—SJ 1507
 02/15/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1512
 02/15/2024 Senate—Hearing: Monday, February 19, 2024, 10:30 AM Room 144-S—SJ 1512
 04/30/2024 Senate—Died in Committee
- S 514** Bill by Ways and Means
Substitute for SB 514 by Committee on Ways and Means - Making and concerning supplemental appropriations for fiscal years 2024 and 2025 and appropriations for fiscal years 2025, 2026, 2027 and 2028 for various state agencies.
 02/14/2024 Senate—Introduced—SJ 1507
 02/15/2024 Senate—Referred to Committee on Ways and Means—SJ 1512
 03/11/2024 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 1633
 03/13/2024 Senate—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed
 03/13/2024 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 1644

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03/13/2024 Senate—Committee of the Whole - Amendment by Senator Steffen was adopted—SJ 1644
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Olson was rejected Yea: 14 Nay: 19—SJ 1651
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Olson was adopted—SJ 1645
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Holscher was rejected Yea: 12 Nay: 21—SJ 1652
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Doll was rejected Yea: 12 Nay: 19—SJ 1652
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Pyle was adopted Yea: 20 Nay: 8—SJ 1646
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 1646
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Doll was adopted—SJ 1648
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Blasi was adopted—SJ 1649
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Francisco was adopted—SJ 1649
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Steffen was rejected—SJ 1652
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Tyson was rejected—SJ 1652
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Straub was rejected—SJ 1652
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Holland was rejected—SJ 1652
03/13/2024 Senate—Committee of the Whole - Amendment by Senator Pettey was rejected Yea: 13 Nay: 23—SJ 1653
03/13/2024 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 1644
03/14/2024 Senate—Final Action - Substitute passed as amended; Yea: 24 Nay: 15—SJ 1706
03/19/2024 House—Received and Introduced—HJ 1966
03/20/2024 House—Referred to Committee on Appropriations—HJ 2259
04/30/2024 House—Died in House Committee

S 515

Bill by Assessment and Taxation
Providing a sales tax exemption for the Dane G. Hansen foundation.
02/15/2024 Senate—Introduced—SJ 1511
02/16/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1530
02/28/2024 Senate—Hearing: Wednesday, March 6, 2024, 9:30 AM Room 548-S
04/30/2024 Senate—Died in Committee

S 516

Bill by Assessment and Taxation
Exempting elevators that are owned by a nonprofit organization with a maintenance service contract for such elevator from the annual inspection requirement under the elevator safety act.
02/15/2024 Senate—Introduced—SJ 1512
02/16/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1530
04/30/2024 Senate—Died in Committee

S 517

Bill by Federal and State Affairs
Prohibiting the closure of an electric generation facility without a reliable and readily dispatchable replacement and notification of such closure.
02/15/2024 Senate—Introduced—SJ 1512

02/16/2024 Senate—Referred to Committee on Utilities—SJ 1530
 04/30/2024 Senate—Died in Committee

- S 518** Bill by Ways and Means
Establishing the complex rehabilitation technology coverage act.
 02/15/2024 Senate—Introduced—SJ 1512
 02/16/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1530
 04/30/2024 Senate—Died in Committee
- S 519** Bill by Ways and Means
Requiring technical colleges to affiliate with a state educational institution or municipal university.
 02/15/2024 Senate—Introduced—SJ 1512
 02/16/2024 Senate—Referred to Committee on Ways and Means—SJ 1530
 04/30/2024 Senate—Died in Committee
- S 520** Bill by Assessment and Taxation
Providing a sales tax exemption for certain not-for-profit organizations that provide public transportation services.
 02/19/2024 Senate—Introduced—SJ 1532
 02/20/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1536
 04/30/2024 Senate—Died in Committee
- S 521** Bill by Assessment and Taxation
Enacting the "Defense of affordable prescriptions act" to prohibit certain discriminatory actions related to reimbursement of entities participating in the federal 340B drug pricing program.
 02/19/2024 Senate—Introduced—SJ 1532
 02/20/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1536
 04/30/2024 Senate—Died in Committee
- S 522** Bill by Assessment and Taxation
Creating the crime of unlawful entry into the state of Kansas and requiring notification of federal immigration authorities upon arrest for such offense.
 02/20/2024 Senate—Introduced—SJ 1535
 02/21/2024 Senate—Referred to Committee on Judiciary—SJ 1554
 04/30/2024 Senate—Died in Committee
- S 523** Bill by Federal and State Affairs
Clarifying the eligibility requirements to obtain a license to carry a concealed handgun under the personal and family protection act.
 02/20/2024 Senate—Introduced—SJ 1536
 02/21/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1554
 02/28/2024 Senate—Hearing: Thursday, March 7, 2024, 10:30 AM Room 144-S
 04/30/2024 Senate—Died in Committee
- S 524** Bill by Ways and Means
Specifying when boards of directors for irrigation districts of 35,000 or more acres may conduct board member elections by mail ballot and establishing the terms for such members.
 02/20/2024 Senate—Introduced—SJ 1536
 02/21/2024 Senate—Referred to Committee on Ways and Means—SJ 1554
 03/06/2024 Senate—Hearing: Thursday, March 14, 2024, 10:30 AM Room 548-S
 03/14/2024 Senate—Committee Report recommending bill be passed and placed on

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Consent Calendar by Committee on Ways and Means—SJ 1713
03/21/2024 Senate—Withdrawn from Consent Calendar and placed on General Orders—
SJ 1757
03/25/2024 Senate—Committee of the Whole - Amendment by Senator Bowers was
adopted—SJ 1768
03/25/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1767
03/26/2024 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1797
04/01/2024 House—Received and Introduced—HJ 2405
04/02/2024 House—Referred to Committee on Water—HJ 2413
04/30/2024 House—Died in House Committee

S 525 Bill by Federal and State Affairs
**Creating the protection against deep fakes act to provide a cause of action for
damages arising from the use of generative artificial intelligence to create
an image or likeness of another person without such person's consent for
use in obscene material.**

02/20/2024 Senate—Introduced—SJ 1536
02/21/2024 Senate—Referred to Committee on Judiciary—SJ 1554
04/30/2024 Senate—Died in Committee

S 526 Bill by Federal and State Affairs
**Creating the crime of aggravated sexual extortion, providing criminal penalties for
violations thereof and adding making a demand for money or other thing of
value to the elements of sexual extortion.**

02/21/2024 Senate—Introduced—SJ 1553
02/22/2024 Senate—Referred to Committee on Judiciary—SJ 1578
04/30/2024 Senate—Died in Committee

S 527 Bill by Federal and State Affairs
**Creating the crime of coercion to obtain an abortion and providing enhanced
criminal penalties for offenses committed with the intent to coerce a woman
to obtain an abortion.**

02/21/2024 Senate—Introduced—SJ 1553
02/22/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1578
03/13/2024 Senate—Hearing: Tuesday, March 19, 2024, 10:30 AM Room 144-S
04/30/2024 Senate—Died in Committee

S 528 Bill by Federal and State Affairs
**Establishing the Kansas ultrasound act, requiring that an obstetric ultrasound be
performed on a woman prior to an abortion, permitting a woman to avert
her eyes from the ultrasound images, establishing civil and criminal
penalties and providing an emergency exception to requirements of the act.**

02/21/2024 Senate—Introduced—SJ 1554
02/23/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1593
04/30/2024 Senate—Died in Committee

S 529 Bill by Ways and Means
**Creating the Dwayne Peaslee technical training center district act to authorize the
establishment of the Dwayne Peaslee technical training center district in
Douglas county.**

02/21/2024 Senate—Introduced—SJ 1554
02/22/2024 Senate—Referred to Committee on Ways and Means—SJ 1578
03/06/2024 Senate—Hearing: Thursday, March 14, 2024, 10:30 AM Room 548-S
03/25/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Ways and Means
04/30/2024 Senate—Died on Calendar

- S 530** Bill by Federal and State Affairs
Providing that residential housing constructed through loans or grants from the state housing trust fund shall meet certain energy conservation standards.
 02/22/2024 Senate—Introduced—SJ 1577
 02/23/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1593
 04/30/2024 Senate—Died in Committee
- S 531** Bill by Federal and State Affairs
Creating a civil cause of action against schools that give or make available harmful material to minors and removing the affirmative defense to promotion to minors of material harmful to minors for public and nonpublic schools.
 02/22/2024 Senate—Introduced—SJ 1577
 02/23/2024 Senate—Referred to Committee on Education—SJ 1593
 04/30/2024 Senate—Died in Committee
- S 532** Bill by Assessment and Taxation
Establishing a blueprint for literacy to create a literacy advisory committee, appoint a director of literacy education, require the state board of regents and the state board of education to collaborate on a literacy micro-credential and professional development, authorize the state board of regents to recommend diagnostic and formative literacy assessments, authorize university presidents and deans of education oversight over postsecondary literacy courses and require a plan to establish centers of excellence in reading.
 02/22/2024 Senate—Introduced—SJ 1577
 02/23/2024 Senate—Referred to Committee on Education—SJ 1593
 02/28/2024 Senate—Hearing: Thursday, March 7, 2024, 1:30 PM Room 144-S
 03/18/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Education
 03/25/2024 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 1767
 03/26/2024 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 1792
 03/27/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1813
 03/27/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1813
 03/27/2024 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 3—SJ 1825
 04/01/2024 House—Received and Introduced—HJ 2405
 04/02/2024 House—Referred to Committee on Education—HJ 2413
 04/30/2024 House—Died in House Committee
- S 533** Bill by Federal and State Affairs
Limiting the use of past evictions and rental arrears to deny applicants from renting a home.
 02/28/2024 Senate—Introduced—SJ 1595
 02/29/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1597
 04/30/2024 Senate—Died in Committee
- S 534** Bill by Federal and State Affairs
Authorizing the secretary of corrections to use hypoxia for the purpose of carrying out a sentence of death and requiring the district court to issue a warrant to the secretary of corrections to carry out a sentence of death.
 03/04/2024 Senate—Introduced—SJ 1600
 03/05/2024 Senate—Referred to Committee on Judiciary—SJ 1620
 04/30/2024 Senate—Died in Committee

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- S 535** Bill by Federal and State Affairs
Exempting certain gaming suppliers from the certification requirement of the Kansas expanded lottery act when such suppliers do not contract with the state or the lottery gaming facility manager.
03/05/2024 Senate—Introduced—SJ 1620
03/06/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1624
03/13/2024 Senate—Hearing: Monday, March 18, 2024, 10:30 AM Room 144-S
04/30/2024 Senate—Died in Committee
- S 536** Bill by Assessment and Taxation
Requiring political subdivisions to adopt a budget that remains at or below revenue neutral and use funds to reduce property tax in order to receive local ad valorem tax reduction fund (LAVTRF) distributions.
03/06/2024 Senate—Introduced—SJ 1623
03/07/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1627
04/30/2024 Senate—Died in Committee
- S 537** Bill by Assessment and Taxation
Providing countywide retailers' sales tax authority for Neosho county.
03/06/2024 Senate—Introduced—SJ 1623
03/07/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1627
03/13/2024 Senate—Hearing: Wednesday, March 20, 2024, 9:30 AM Room 548-S
03/19/2024 Senate—Hearing: Thursday, March 21, 2024, 9:30 AM Room 548-S
03/21/2024 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Assessment and Taxation—SJ 1758
03/26/2024 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 1802
04/30/2024 Senate—Died on Calendar
- S 538** Bill by Federal and State Affairs
Establishing a commencement date for candidate nomination filings for municipal elections.
03/07/2024 Senate—Introduced—SJ 1626
03/08/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1630
04/30/2024 Senate—Died in Committee
- S 539** Bill by Assessment and Taxation
Simplifying income tax rates for individuals, increasing the standard deduction and the Kansas personal exemption, eliminating the income limit for the income tax subtraction modification exempting social security benefits, establishing a child tax credit, increasing the extent of property tax exemption for residential property from the statewide school levy, decreasing the privilege tax normal tax rate and establishing a 0% state rate for sales and use taxes for sales of food and food ingredients on July 1, 2024.
03/07/2024 Senate—Introduced—SJ 1627
03/08/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1630
03/08/2024 Senate—Hearing: Tuesday, March 12, 2024, 9:30 AM Room 548-S
03/13/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 1653
03/14/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1659
03/14/2024 Senate—Motion to divide the question. Part 1 retained.—SJ 1668
03/14/2024 Senate—Motion to divide the question. Part 2 retained.—SJ 1668
03/14/2024 Senate—Motion to divide the question. Part 3 retained.—SJ 1668
03/14/2024 Senate—Motion to divide the question. Part 4 retained.—SJ 1668
03/14/2024 Senate—Committee of the Whole - Amendment by Senator Thompson was adopted—SJ 1668

03/14/2024 Senate—Committee of the Whole - Amendment by Senator Shallenburger was adopted—SJ 1668
 03/14/2024 Senate—Committee of the Whole - Amendment by Senator O'Shea was adopted Yea: 26 Nay: 6—SJ 1676
 03/14/2024 Senate—Committee of the Whole - Amendment by Senator Haley was rejected Yea: 6 Nay: 31—SJ 1677
 03/14/2024 Senate—Committee of the Whole - Amendment by Senator Sykes was rejected Yea: 14 Nay: 26—SJ 1683
 03/14/2024 Senate—Committee of the Whole - Be passed as further amended—SJ 1659
 03/14/2024 Senate—Emergency Final Action - Passed as amended; Yea: 29 Nay: 11—SJ 1709
 03/18/2024 House—Received and Introduced—HJ 1961
 03/19/2024 House—Referred to Committee on Taxation—HJ 1966
 04/30/2024 House—Died in House Committee

S 540 Bill by Assessment and Taxation
Prohibiting certain discriminatory actions related to reimbursement of entities participating in the federal 340B drug pricing program.
 03/08/2024 Senate—Introduced—SJ 1630
 03/11/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1633
 04/30/2024 Senate—Died in Committee

S 541 Bill by Federal and State Affairs
Creating the regulatory relief division within the office of the attorney general and establishing the general regulatory sandbox program to waive or suspend rules and regulations for program participants.
 03/08/2024 Senate—Introduced—SJ 1630
 03/11/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1633
 04/30/2024 Senate—Died in Committee

S 542 Bill by Ways and Means
Making appropriations for the Kansas department for aging and disability services for FY 2025, creating a program for cities and counties to improve and develop infrastructure for homeless shelters and requiring cities and counties to adopt ordinances regarding camping and vagrancy.
 03/11/2024 Senate—Introduced—SJ 1632
 03/12/2024 Senate—Referred to Committee on Ways and Means—SJ 1635
 03/15/2024 Senate—Hearing: Tuesday, March 19, 2024, 10:30 AM Room 548-S
 03/25/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means
 04/30/2024 Senate—Died on Calendar

S 543 Bill by Ways and Means
Prohibiting state educational institutions from endorsing discriminatory ideologies, using diversity, equity and inclusion statements or providing preferential consideration on the basis of such discriminatory ideologies.
 03/11/2024 Senate—Introduced—SJ 1633
 03/12/2024 Senate—Referred to Committee on Ways and Means—SJ 1635
 04/30/2024 Senate—Died in Committee

S 544 Bill by Assessment and Taxation
Establishing a Kansas education opportunity scholarship program to replace the Kansas ethnic minority scholarship program.
 03/12/2024 Senate—Introduced—SJ 1634
 03/13/2024 Senate—Referred to Committee on Education—SJ 1643

03/14/2024 Senate—Hearing: Monday, March 18, 2024, 1:30 PM Room 144-S
03/25/2024 Senate—Committee Report recommending bill be passed as amended by
Committee on Education
03/27/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1813
03/27/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1813
03/27/2024 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ
1825
04/01/2024 House—Received and Introduced—HJ 2405
04/02/2024 House—Referred to Committee on Education—HJ 2413
04/30/2024 House—Died in House Committee

S 545

Bill by Assessment and Taxation

Providing a sales tax exemption for the construction or remodeling of a qualified data center in Kansas and the purchase of data center equipment, eligible data center costs, electricity and certain labor costs to qualified firms that commit to a minimum investment of at least \$600,000,000 and meet new Kansas jobs and other requirements.

03/12/2024 Senate—Introduced—SJ 1634
03/13/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1643
03/13/2024 Senate—Withdrawn from Committee on Assessment and Taxation; Referred
to Committee on Commerce—SJ 1653
03/26/2024 Senate—Committee Report recommending bill be passed by Committee on
Commerce—SJ 1811
04/30/2024 Senate—Died on Calendar

S 546

Bill by Assessment and Taxation

Decreasing the corporate income tax rate, discontinuing tax credits of the high performance incentive program and payroll withholding tax benefits of the promoting employment across Kansas act and repealing certain unused tax credits.

03/12/2024 Senate—Introduced—SJ 1635
03/13/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1643
03/13/2024 Senate—Hearing: Tuesday, March 19, 2024, 9:30 AM Room 548-S
03/19/2024 Senate—Hearing continuation: Wednesday, March 20, 2024, 9:30 AM Room
548-S
04/30/2024 Senate—Died in Committee

S 547

Bill by Federal and State Affairs

Amending the Kansas pet animal act to require the Kansas department of agriculture to maintain records of inspections for not less than five years and removing the requirement that the commissioner only apply federal rules and regulations to United States department of agriculture licensed animal distributors and animal breeders.

03/13/2024 Senate—Introduced—SJ 1643
03/14/2024 Senate—Referred to Committee on Agriculture and Natural Resources—SJ
1658
04/30/2024 Senate—Died in Committee

S 548

Bill by Federal and State Affairs

Requiring a concealed carry license to lawfully carry a concealed handgun and exempting colleges and universities from the public buildings requirements under the personal and family protection act.

03/13/2024 Senate—Introduced—SJ 1643
03/14/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1658
04/30/2024 Senate—Died in Committee

- S 549** Bill by Federal and State Affairs
Requiring criminal history record checks for all sales of firearms and providing criminal penalties for violations thereof.
 03/13/2024 Senate—Introduced—SJ 1643
 03/14/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1658
 04/30/2024 Senate—Died in Committee
- S 550** Bill by Federal and State Affairs
Prohibiting persons under 21 years of age from purchasing and possessing semiautomatic rifles with high capacity ammunition magazines.
 03/13/2024 Senate—Introduced—SJ 1643
 03/14/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1658
 04/30/2024 Senate—Died in Committee
- S 551** Bill by Federal and State Affairs
Creating the crime of unlawful storage of a firearm and providing criminal penalties for violations thereof.
 03/13/2024 Senate—Introduced—SJ 1643
 03/14/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1658
 03/27/2024 Senate—Motion to withdraw from Committee on Federal and State Affairs and refer to General Orders below the line failed. Yea: 9 Nay: 28—SJ 1813
 04/30/2024 Senate—Died in Committee
- S 552** Bill by Ways and Means
Enacting the Kansas campus restoration act to address deferred maintenance and demolition of facilities at postsecondary educational institutions, establishing the Kansas campus restoration fund in the state treasury and authorizing certain transfers from the state general fund to such fund.
 03/14/2024 Senate—Introduced—SJ 1657
 03/15/2024 Senate—Referred to Committee on Ways and Means—SJ 1714
 03/15/2024 Senate—Hearing: Tuesday, March 19, 2024, 10:30 AM Room 548-S
 03/25/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means
 03/27/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1813
 03/27/2024 Senate—Committee of the Whole - Amendment by Senator Billinger was adopted—SJ 1814
 03/27/2024 Senate—Committee of the Whole - Be passed as further amended—SJ 1813
 03/27/2024 Senate—Emergency Final Action - Passed as amended; Yea: 34 Nay: 6—SJ 1825
 04/01/2024 House—Received and Introduced—HJ 2405
 04/02/2024 House—Referred to Committee on Appropriations—HJ 2413
 04/30/2024 House—Died in House Committee
- S 553** Bill by Federal and State Affairs
Permitting a plan sponsor to authorize electronic delivery as the standard method of delivery of all plan documents and health insurance identification cards made to health benefit plan covered persons covered by a health benefit plan.
 03/14/2024 Senate—Introduced—SJ 1658
 03/15/2024 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 1714
 03/15/2024 Senate—Hearing: Tuesday, March 19, 2024, 9:30 AM Room 546-S
 03/26/2024 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance
 03/27/2024 Senate—Committee of the Whole - Committee Report be adopted—SJ 1813
 03/27/2024 Senate—Committee of the Whole - Be passed as amended—SJ 1813

03/27/2024 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 1826

04/01/2024 House—Received and Introduced—HJ 2405

04/02/2024 House—Referred to Committee on Insurance—HJ 2413

04/30/2024 House—Died in House Committee

S 554 Bill by Federal and State Affairs

Providing that a fertilized human ovum or embryo existing outside the uterus of a human body shall not be considered an unborn child or human being.

03/18/2024 Senate—Introduced—SJ 1716

03/19/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1731

03/26/2024 Senate—Motion to withdraw from Committee on Federal and State Affairs and refer to General Orders below the line failed. Yea: 12 Nay: 27—SJ 1791

04/30/2024 Senate—Died in Committee

S 555 Bill by Federal and State Affairs

Creating the medical cannabis pilot program act to establish the medical cannabis pilot program for limited cultivation, processing and dispensing of medical cannabis and medical cannabis products.

03/18/2024 Senate—Introduced—SJ 1716

03/19/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1731

03/25/2024 Senate—Hearing: Thursday, March 28, 2024, 8:00 AM Room 144-S

04/30/2024 Senate—Died in Committee

S 556 Bill by Federal and State Affairs

Expanding the Kansas silver alert plan to provide public notice of missing persons 18 years of age or older who have an intellectual disability.

03/19/2024 Senate—Introduced—SJ 1731

03/20/2024 Senate—Referred to Committee on Public Health and Welfare—SJ 1734

04/30/2024 Senate—Died in Committee

S 557 Bill by Federal and State Affairs

Authorizing professional employees employed by a board of education to cease the withholding of professional employees' organization dues from their wages upon request.

03/21/2024 Senate—Introduced—SJ 1748

03/22/2024 Senate—Referred to Committee on Ways and Means—SJ 1762

04/30/2024 Senate—Died in Committee

S 558 Bill by Federal and State Affairs

Creating the Kansas medical cannabis act to authorize the cultivation, processing, distribution, sale and use of medical cannabis and medical cannabis products and the Kansas cannabidiol regulation act to regulate the testing and retail sale of cannabidiol products.

04/01/2024 Senate—Introduced—SJ 1836

04/02/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1844

04/30/2024 Senate—Died in Committee

S 559 Bill by Federal and State Affairs

Preserving child labor protections by requiring a legislative review process when considering bills proposing to reduce or eliminate child labor protections, providing that the joint committee on administrative rules and regulations review such bills and that the secretary of labor provide a report to the legislature to assist the legislature's consideration of such bills.

04/01/2024 Senate—Introduced—SJ 1837

04/02/2024 Senate—Referred to Committee on Commerce—SJ 1844
 04/30/2024 Senate—Died in Committee

- S 1604** Concurrent Resolution by Senator Pittman
Proposing to amend section 1 of article 11 of the constitution of the state of Kansas to limit property tax valuation increases for residential property.
 02/08/2023 Senate—Introduced—SJ 76
 02/09/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 82
 04/30/2024 Senate—Died in Committee
- S 1605** Concurrent Resolution by Senators Straub, Claeys, Doll, Gossage, Kloos, Peck, Pittman, Pyle, Steffen, Thompson
Proposing a constitutional amendment imposing term limits for state legislators.
 02/14/2023 Senate—Introduced—SJ 96
 02/15/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 104
 04/30/2024 Senate—Died in Committee
- S 1606** Concurrent Resolution by Federal and State Affairs
Constitutional amendment proposing the Kansas Citizen Involvement Amendment to reserve the powers of initiative and referendum to the citizens of Kansas.
 02/15/2023 Senate—Introduced—SJ 101
 02/16/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 112
 04/30/2024 Senate—Died in Committee
- S 1607** Concurrent Resolution by Federal and State Affairs
Making application to the United States congress to call a convention of the states for the purpose of proposing amendments to limit the federal government.
 02/15/2023 Senate—Introduced—SJ 104
 02/16/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 112
 03/08/2023 Senate—Hearing: Monday, March 13, 2023, 10:30 AM Room 144-S
 03/14/2023 Senate—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—SJ 232
 03/21/2023 Senate—Committee of the Whole - Be adopted—SJ 268
 03/22/2023 Senate—Final Action - Not adopted by required 2/3 majority; Yea: 22 Nay: 16—SJ 276
- S 1608** Concurrent Resolution by Federal and State Affairs
Urging the adoption of a student bill of rights.
 02/20/2023 Senate—Introduced—SJ 120
 02/21/2023 Senate—Referred to Committee on Education—SJ 129
 04/30/2024 Senate—Died in Committee
- S 1609** Concurrent Resolution by Senators Claeys, Alley, Baumgardner, Blasi, Bowers, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Peck, Steffen, Straub, Thompson, Warren, Wilborn
Making application to the Congress of the United States to call a convention of the states to establish term limits for members of Congress.
 02/23/2023 Senate—Introduced—SJ 159
 03/01/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 201
 02/20/2024 Senate—Hearing: Thursday, February 29, 2024, 10:30 AM Room 144-S
 03/06/2024 Senate—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—SJ 1625
 03/27/2024 Senate—Committee of the Whole - Motion to refer to committee failed Yea: 16 Nay: 22 Committee on Judiciary—SJ 1815
 03/27/2024 Senate—Committee of the Whole - Be adopted—SJ 1813

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03/27/2024 Senate—Emergency Final Action - Not adopted; Yea: 24 Nay: 15—SJ 1832

- S 1611** Concurrent Resolution by Assessment and Taxation
Proposing to amend section 1 of article 11 of the constitution of the state of Kansas to limit property tax valuation increases for real property.

04/04/2023 Senate—Introduced—SJ 406

04/05/2023 Senate—Referred to Committee of the Whole—SJ 416

04/05/2023 Senate—Motion to advance to EFA, subject to amendment, debate and roll call. Motion carried. Yea: 27 Nay: 7—SJ 417

04/05/2023 Senate—Committee of the Whole - Amendment by Senator Holland was rejected Yea: 11 Nay: 28—SJ 418

04/05/2023 Senate—Emergency Final Action - Adopted; Yea: 28 Nay: 11—SJ 419

04/05/2023 House—Received and Introduced—HJ 622

04/06/2023 House—Referred to Committee on Taxation—HJ 735

03/13/2024 House—Hearing: Tuesday, March 19, 2024, 3:30 PM Room 346-S

04/30/2024 House—Died in House Committee

- S 1613** Concurrent Resolution by Senator Holland
Proposing to amend the constitution of the state of Kansas to decrease the assessed value for real property used for residential purposes to 10 1/2% for 2025 and 9 1/2% for 2026 and each year thereafter.

01/08/2024 Senate—Prefiled for Introduction on Thursday, December 14, 2023

01/08/2024 Senate—Introduced—SJ 1370

01/09/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1382

04/30/2024 Senate—Died in Committee

- S 1614** Concurrent Resolution by Senator Olson
Proposing a constitutional amendment imposing term limits for state legislators.

01/08/2024 Senate—Introduced—SJ 1373

01/09/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1382

04/30/2024 Senate—Died in Committee

- S 1615** Concurrent Resolution by Senators Tyson, Baumgardner, Doll, Shallenburger, Steffen, Straub, Warren
A Concurrent Resolution rejecting the rates of compensation for members of the Legislature set by the Legislative Compensation Commission.

01/29/2024 Senate—Introduced—SJ 1449

01/30/2024 Senate—Referred to Committee on Ways and Means—SJ 1456

01/31/2024 Senate—Motion to withdraw from Committee on Ways and Means not adopted; Yea: 21 Nay: 3—SJ 1460

02/01/2024 Senate—Hearing: Tuesday, February 6, 2024, 10:30 AM Room 548-S

04/30/2024 Senate—Died in Committee

- S 1616** Concurrent Resolution by Senator Pyle
Proposing an amendment to the constitution of the state of Kansas to add a senate confirmation requirement for supreme court justices and to change the membership of the supreme court nominating commission.

01/30/2024 Senate—Introduced—SJ 1452

01/31/2024 Senate—Referred to Committee on Judiciary—SJ 1459

04/30/2024 Senate—Died in Committee

- S 1617** Concurrent Resolution by Federal and State Affairs
Proposing a constitutional amendment to require that vacancies in the offices of the secretary of state and the attorney general be filled by election at a state party delegate convention.

02/01/2024 Senate—Introduced—SJ 1468
 02/02/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1472
 04/30/2024 Senate—Died in Committee

- S 1618** Concurrent Resolution by Senators Claeys, Alley, Baumgardner, Billinger, Blasi, Bowers, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Wilborn
Proposing a constitutional amendment to amend section 4 of the Kansas bill of rights to recognize the right to bear arms as a fundamental right that includes the possession and use of ammunition, firearm accessories and firearm components, and that any restrictions on such right are subject to the strict scrutiny standard.

02/13/2024 Senate—Introduced—SJ 1495
 02/14/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1507
 04/30/2024 Senate—Died in Committee

- S 1619** Concurrent Resolution by Senators Masterson, Alley, Sykes
Providing for the first adjournment of the Senate and House of Representatives for a period of time during the 2024 regular session of the Legislature.

02/22/2024 Senate—Introduced—SJ 1578
 02/22/2024 Senate—Adopted without roll call—SJ 1578
 02/22/2024 House—Received and Introduced—HJ 1866
 02/22/2024 House—Adopted without roll call—HJ 1866
 02/28/2024 Senate—Enrolled and presented to Secretary of State on Wednesday, February 28, 2024—SJ 1596

- S 1620** Concurrent Resolution by Senator Haley
Creation of a port authority in Wyandotte County Kansas

02/23/2024 Senate—Introduced—SJ 1593
 02/28/2024 Senate—Referred to Committee on Commerce—SJ 1595
 03/13/2024 Senate—Hearing: Thursday, March 14, 2024, 10:30 AM Room 546-S
 03/25/2024 Senate—Committee Report recommending resolution be adopted and placed on Consent Calendar by Committee on Commerce—SJ 1779
 04/02/2024 Senate—Consent Calendar Adopted Yea: 32 Nay: 6—SJ 1848
 04/02/2024 House—Received and Introduced—HJ 2416
 04/03/2024 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 2422
 04/30/2024 House—Died in House Committee

- S 1621** Concurrent Resolution by Assessment and Taxation
Proposing a constitutional amendment to provide authority to the legislature to limit property tax increases for residential property that is owned by and the principal place of residence of lawful permanent residents of Kansas who are 62 years of age or older or disabled or to exempt such property from ad valorem taxation.

03/25/2024 Senate—Introduced—SJ 1764
 03/26/2024 Senate—Referred to Committee on Assessment and Taxation—SJ 1789
 04/30/2024 Senate—Died in Committee

- S 1728** Resolution by Senators Masterson, Alley, Sykes
Providing for the organization of the Senate for the 2024 session of the Legislature.

01/08/2024 Senate—Introduced—SJ 1374
 01/08/2024 Senate—Adopted without roll call—SJ 1374
 01/11/2024 Senate—Enrolled on Thursday, January 11, 2024—SJ 1389

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- S 1729** Resolution by Senators Erickson, Alley, Baumgardner, Billinger, Blasi, Claeys, Corson, Dietrich, Fagg, Kerschen, Kloos, Masterson, McGinn, Peck, Steffen, Thompson, Warren
Condemning the October 7 attacks on the State of Israel.
01/08/2024 Senate—Introduced—SJ 1374
01/08/2024 Senate—Motion to advance to EFA, subject to amendment, debate and roll call, Motion carried.
01/08/2024 Senate—Emergency Final Action - Adopted; Yea: 34 Nay: 6—SJ 1375
01/11/2024 Senate—Enrolled on Thursday, January 11, 2024—SJ 1389
- S 1730** Resolution by Senators Olson, Pyle, Sykes
Amending the rules of the Senate, 2021-2024.
01/08/2024 Senate—Introduced—SJ 1374
01/09/2024 Senate—Referred to Committee on Organization, Calendar and Rules—SJ 1382
04/30/2024 Senate—Died in Committee
- S 1731** Resolution by Senators Erickson, Alley, Billinger, Blasi, Bowers, Claeys, Dietrich, McGinn, O'Shea, Pettey, Pittman, Shallenburger, Wilborn
Supporting the strengthening of Kansas' trade partnership with Ireland.
01/17/2024 Senate—Introduced—SJ 1395
01/17/2024 Senate—Adopted without roll call—SJ 1396
01/18/2024 Senate—Enrolled on Thursday, January 18, 2024—SJ 1423
- S 1732** Resolution by Senators Baumgardner, Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn
Congratulating and commending the members of the 2024 Kansas Teacher of the Year team.
01/24/2024 Senate—Introduced—SJ 1433
01/24/2024 Senate—Adopted without roll call—SJ 1433
01/25/2024 Senate—Enrolled on Thursday, January 25, 2024—SJ 1444
- S 1733** Resolution by Senators Sykes, Francisco, Haley, Holscher, Pettey, Reddi, Ware
Affirming the Kansas senate's unwavering support for free press in the state of Kansas.
01/29/2024 Senate—Introduced—SJ 1449
01/30/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1456
04/30/2024 Senate—Died in Committee
- S 1734** Resolution by Senators Masterson, Wilborn, Alley
Strengthening the sister-state ties between the State of Kansas and Taiwan.
01/31/2024 Senate—Introduced—SJ 1459
01/31/2024 Senate—Adopted without roll call—SJ 1460
02/02/2024 Senate—Enrolled on Friday, February 2, 2024—SJ 1472
- S 1735** Resolution by Senator McGinn
Recognizing February as American Heart Month.
02/01/2024 Senate—Introduced—SJ 1470
02/01/2024 Senate—Adopted without roll call—SJ 1471
02/02/2024 Senate—Enrolled on Friday, February 2, 2024—SJ 1472

- S 1736** Resolution by Senators Bowers, Alley, Baumgardner, Billinger, Blasi, Dietrich, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Masterson, McGinn, Petersen, Pettey, Reddi, Ryckman, Straub, Sykes, Thompson, Wilborn
Congratulating and commending the NCSL on its 50th anniversary.
 02/06/2024 Senate—Introduced—SJ 1479
 02/06/2024 Senate—Adopted without roll call—SJ 1480
 02/08/2024 Senate—Enrolled on Thursday, February 8, 2024—SJ 1488
- S 1737** Resolution by Senators Masterson, Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn
Affirming Texas Governor, Greg Abbott's right to defend the state of Texas from unrestrained illegal immigration.
 02/07/2024 Senate—Introduced—SJ 1483
 02/07/2024 Senate—Referred to Committee of the Whole—SJ 1483
 02/13/2024 Senate—Committee of the Whole - Amendment by Senator Sykes was rejected Yea: 11 Nay: 29—SJ 1498
 02/13/2024 Senate—Committee of the Whole - Be adopted—SJ 1497
 02/15/2024 Senate—Final Action - Adopted; Yea: 26 Nay: 11—SJ 1526
 02/16/2024 Senate—Enrolled on Friday, February 16, 2024
- S 1738** Resolution by Senator Alley
Recognizing February 7, 2024, as JAG-K Day at the Capitol.
 02/07/2024 Senate—Introduced—SJ 1483
 02/07/2024 Senate—Adopted without roll call—SJ 1484
 02/08/2024 Senate—Enrolled on Thursday, February 8, 2024—SJ 1488
- S 1739** Resolution by Senators Faust-Goudeau, Haley
Recognizing the members of Delta Sigma Theta Sorority, Inc.
 02/15/2024 Senate—Introduced—SJ 1512
 02/15/2024 Senate—Adopted without roll call—SJ 1513
 02/16/2024 Senate—Enrolled on Friday, February 16, 2024—SJ 1530
- S 1740** Resolution by Senators Holscher, Corson, Faust-Goudeau, Francisco, Haley, Pettey, Pittman, Sykes
Proclaiming that the State of Kansas supports admitting Washington, D.C. into the Union as a state of the United States of America.
 02/15/2024 Senate—Introduced—SJ 1512
 02/16/2024 Senate—Referred to Committee on Federal and State Affairs—SJ 1530
 04/30/2024 Senate—Died in Committee
- S 1741** Resolution by Senator Doll
Congratulating and commending Major League Baseball umpire Todd Tichenor for his accomplishments.
 02/19/2024 Senate—Introduced—SJ 1532
 02/19/2024 Senate—Adopted without roll call—SJ 1533
 02/23/2024 Senate—Enrolled on Friday, February 23, 2024—SJ 1594
- S 1742** Resolution by
Withdrawn
 02/29/2024 Senate—Withdrawn
- S 1743** Resolution by Senator Dietrich
Congratulating and commending the award-winning educators of the Milken

Educator Award Program and the Kansas Horizon Awards Program.

02/21/2024 Senate—Introduced—SJ 1554
02/21/2024 Senate—Adopted without roll call—SJ 1555
02/23/2024 Senate—Enrolled on Friday, February 23, 2024—SJ 1594

S 1744 Resolution by Senator O'Shea
Designating April 24th as Ad Astra STEM Day in Kansas.
03/06/2024 Senate—Introduced—SJ 1624
03/06/2024 Senate—Adopted without roll call—SJ 1624
03/08/2024 Senate—Enrolled on Friday, March 8, 2024—SJ 1630

S 1745 Resolution by Senator Sykes
Congratulating Goodwill of Western Missouri and Eastern Kansas on its 130th anniversary in 2024.
03/07/2024 Senate—Introduced—SJ 1627
03/07/2024 Senate—Adopted without roll call—SJ 1628
03/08/2024 Senate—Enrolled on Friday, March 8, 2024—SJ 1630

S 1746 Resolution by Senator Longbine
Congratulating and commending the 2023 Kansas Master Teachers.
03/14/2024 Senate—Introduced—SJ 1658
03/14/2024 Senate—Adopted without roll call—SJ 1659
03/19/2024 Senate—Enrolled on Tuesday, March 19, 2024—SJ 1733

S 1747 Resolution by Senators Faust-Goudeau, Blasi
Recognizing Storytime Village, Inc., for its literacy programs for children.
03/20/2024 Senate—Introduced—SJ 1735
03/20/2024 Senate—Adopted without roll call—SJ 1735
03/21/2024 Senate—Enrolled on Thursday, March 21, 2024—SJ 1761

S 1748 Resolution by Senators Pettey, Haley, Pittman
Congratulating Kansas City Kansas Community College on its 100th anniversary.
03/20/2024 Senate—Introduced—SJ 1735
03/20/2024 Senate—Adopted without roll call—SJ 1736
03/21/2024 Senate—Enrolled on Thursday, March 21, 2024—SJ 1761

S 1749 Resolution by Senators Haley, Faust-Goudeau
Supporting the Kinaway Chamber of Commerce and the First Nations Leadership Development Trade Mission to Kansas.
03/20/2024 Senate—Introduced—SJ 1736
03/20/2024 Senate—Adopted without roll call—SJ 1737
03/21/2024 Senate—Enrolled on Thursday, March 21, 2024—SJ 1761

S 1750 Resolution by Joint Committee on State -Tribal Relations
Approving an amendment to the gaming compact with the Iowa Tribe of Kansas and Nebraska concerning sports wagering.
04/01/2024 Senate—Introduced—SJ 1837
04/01/2024 Senate—Committee Report recommending resolution be adopted by Joint Committee on State-Tribal Relations
04/02/2024 Senate—Motion to advance to EFA, subject to amendment, debate and roll call. Motion carried.—SJ 1847
04/02/2024 Senate—Emergency Final Action - Adopted; Yea: 29 Nay: 6—SJ 1848
04/04/2024 Senate—Enrolled on Thursday, April 4, 2024—SJ 2054

- S 1751** Resolution by Senators Dietrich, Kloos, O'Shea
Recognizing Success Learning Inclusion and its President and CEO, Lisa Jackson.
04/03/2024 Senate—Introduced—SJ 1851
04/03/2024 Senate—Adopted without roll call—SJ 1851
04/04/2024 Senate—Enrolled on Thursday, April 4, 2024—SJ 2054
- S 1752** Resolution by Senator Sykes
Congratulating SevenDays on its 10th anniversary of teaching kindness and making a ripple to change the world.
04/03/2024 Senate—Introduced
04/03/2024 Senate—Adopted without roll call—SJ 1851
04/04/2024 Senate—Enrolled on Thursday, April 4, 2024—SJ 2054
- S 1753** Resolution by Senator Dietrich
Recognizing Chuck Torrence for his outstanding service to the state of Kansas and congratulating him on his retirement.
04/04/2024 Senate—Introduced—SJ 1870
04/04/2024 Senate—Adopted without roll call—SJ 1871
04/04/2024 Senate—Enrolled on Thursday, April 4, 2024—SJ 2054
- S 1754** Resolution by Senator Pettey
Congratulating Rhett Ryman on his first-place at both Kansas Regional and State Bowling Tournaments.
04/05/2024 Senate—Introduced—SJ 2055
04/05/2024 Senate—Adopted without roll call—SJ 2056
04/05/2024 Senate—Enrolled on Monday, April 8, 2024
- S 1755** Resolution by Senator Pettey
Congratulating the Turner High School Bowling Team on their 2nd Place finish in the 5A Kansas State Bowling Tournament.
04/05/2024 Senate—Introduced—SJ 2056
04/05/2024 Senate—Adopted without roll call—SJ 2056
04/05/2024 Senate—Enrolled on Monday, April 8, 2024
- S 1756** Resolution by Senators Haley, Faust-Goudeau
Commemorating 70th anniversary of Brown v. Board of Education.
04/29/2024 Senate—Introduced—SJ 2736
04/29/2024 Senate—Adopted without roll call—SJ 2738
04/30/2024 Senate—Enrolled on Tuesday, April 30, 2024
- S 1757** Resolution by Senator Bowers
Congratulating KC Clowers on her retirement.
04/29/2024 Senate—Introduced—SJ 2738
04/29/2024 Senate—Adopted without roll call—SJ 2738
04/30/2024 Senate—Enrolled on Tuesday, April 30, 2024
- S 1758** Resolution by Senator Steffen
Congratulating the Hutchinson women's basketball team for an outstanding season and winning the NJCAA Divison 1 Women's Basketball Championship.
04/30/2024 Senate—Introduced
04/30/2024 Senate—Adopted without roll call
04/30/2024 Senate—Enrolled on Tuesday, April 30, 2024

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- S 1759** Resolution by Senator Straub
Congratulating the Barton men's basketball team for an outstanding season and winning the NJCAA Division 1 championship.
04/30/2024 Senate—Introduced
04/30/2024 Senate—Adopted without roll call
04/30/2024 Senate—Enrolled on Tuesday, April 30, 2024

FINAL

SENATE CALENDAR

No. 66

JANUARY 8, 2024 THROUGH ADJOURNMENT APRIL 30, 2024
NUMERICAL SCHEDULE OF SENATE BILLS
CARRIED OVER FROM 2023 SESSION

1 Died, Com	52 Died, Com	96 (H Sub H Sub) Died, Conf
2 Died, Com	53 Died, H Com	97 Died, Com
4 Died, Com	54 Died, Gen Orders	98 Died, H Com
5 Died, H Com	55 (Sub) Died, H Com	99 Died, Com
6 Died, H Com	56 Died, Com	100 Died, Com
7 Died, Com	57 Died, Com	101 Died, Com
9 Died, Com	58 Died, Com	102 Died, Com
10 Died, Com	59 Died, H Com	103 Died, Gen Orders
12 Died, Com	60 (Sub) Died, H Com	104 Died, Gen Orders
14 Died, Conf	61 Died, Com	105 Died, Com
15 Signed, Pub 2/15/24	62 Died, Com	107 Died, Com
16 Died, Com	63 Died, Gen Orders	108 Died, Com
18 Signed, St Bk	64 Died, Com	109 Died, Com
19 Signed, St Bk	65 Died, Com	110 Died, Gen Orders
20 Died, Com	67 Died, Com	111 Died, Com
21 Died, Com	68 Died, Gen Orders	112 Died, H Com
22 Died, Com	69 Died, Com	115 Signed, St Bk
23 Died, H Com	70 Died, Com	117 Died, Com
27 Signed, St Bk	71 Died, Com	118 Died, Com
28 Line items vetoes, considered, Pub 5/9/24	72 Died, Com	121 Died, Com
29 Died, Com	73 (H Sub) Signed, St Bk	122 Died, Com
30 Died, Gen Orders	74 Died, Com	124 Died, Com
31 Died, Com	76 Died, Com	125 Died, Com
32 Died, Com	77 Died, Com	126 Died, Com
33 Died, H Com	78 Died, Com	127 (H Sub) Died, H Gen Orders
34 Died, H Gen Orders	79 Died, Com	128 Died, Com
35 Died, Com	80 Died, Com	129 Died, Com
36 Died, Com	81 Died, Com	130 Died, H Com
37 (H Sub) Veto, sustained	82 Stricken	133 Died, Com
38 Died, Com	84 Died, Com	134 Died, Com
40 Died, H Com	86 Died, Com	135 Died, Com
41 Died, Gen Orders	87 Died, Com	136 Died, Com
43 Died, Com	88 Died, Com	137 Died, Com
45 Died, Com	89 Died, Com	138 Died, Com
46 Died, Com	90 Died, Com	139 Died, Com
47 Died, Com	91 Died, H Gen Orders	140 Died, Com
48 Died, Com	92 Died, Com	141 Died, Com
50 Died, Com	93 Died, Com	142 Died, Conf
51 Died, Com	94 Died, Gen Orders	143 (H Sub) Signed, St Bk
	95 Died, Com	

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145 Died, Com	202 Died, Com	263 Died, Com
146 Died, Com	203 Stricken	264 Died, Com
147 Died, H Com	204 Died, Com	265 Died, H Gen Orders
148 Died, Com	206 Died, Com	266 Died, Com
149 Died, Com	207 Died, Com	267 Died, Com
150 Died, Com	211 Died, Com	268 Died, Com
151 Died, Com	212 Died, Com	269 Died, Com
152 Stricken	213 Died, Com	270 Died, Com
153 Died, Com	214 Died, Com	271 (H Sub) Veto, sustained
154 Died, Com	215 Died, Com	272 Died, H Gen Orders
155 (Sub) Died, H Com	216 Died, Com	273 Died, Com
156 Died, Com	218 Died, Com	274 Died, Com
157 Died, Com	219 (H Sub) Died, H Gen Orders	275 Died, Com
158 Died, Com	220 Died, Com	276 Died, Com
159 Died, Com	222 Died, Com	277 Died, Com
160 Died, Com	223 Died, Com	278 Died, Com
161 Died, Com	224 Died, Com	279 Died, Com
162 Stricken, H Cal	225 Died, Com	280 Died, Com
163 Died, Com	226 Died, Com	281 Died, Com
164 Died, Com	227 Died, Com	282 Died, Com
165 Died, Com	230 Died, Com	283 Died, Com
166 Died, Com	231 Died, Com	284 Died, Gen Orders
167 Died, Com	232 (H Sub Sub)Veto, sustained	285 Died, Com
168 Died, Com	233 (H Sub) Veto, sustained	286 Died, Com
170 Died, Com	234 Died, Com	287 (H Sub) Signed, St Bk
171 Died, Com	235 Died, Com	288 Died, Com
172 (H Sub) Veto, sustained	236 Died, Com	289 Died, Com
173 Died, Com	237 Died, Com	290 Died, Com
175 Died, Com	238 Stricken	291 (H Sub) Signed, St Bk
176 Died, Com	239 Died, Com	292 Signed, St Bk
177 Died, Com	240 Died, Com	293 Died, Com
178 Died, Com	241 Died, Com	294 Died, Com
179 Died, Com	242 Died, Com	295 Stricken
181 Died, Com	245 Died, Com	296 Died, Com
182 Died, Com	246 Died, Com	297 Died, H Com
183 Died, Com	247 Died, Com	298 Died, Com
184 Died, Com	248 Died, H Com	299 Died, Com
185 Died, Com	249 (Sub) Died, Gen Orders	300 (H Sub) Died, Com
186 Died, Com	250 Died, Com	301 Died, H Com
187 Died, Com	251 Died, Com	302 Died, Com
188 Died, Com	252 Died, H Com	303 Died, Gen Orders
190 (H Sub) Stricken, H Cal	253 Died, Com	304 Died, Com
191 Died, Com	254 (Sub) Died, Gen Orders	305 Died, Com
192 Died, Com	255 Died, Com	306 Died, Com
193 Died, Com	256 Died, Com	307 Signed, St Bk
195 Signed, St Bk	257 Died, Com	308 Died, Gen Orders
196 Died, Com	258 Died, Com	310 Died, Com
197 Died, Com	259 Died, Com	311 Died, H Com
198 Died, Com	260 Died, Com	312 Died, Com
199 Died, Com	261 Died, Com	313 Died, Com
200 Died, Com	262 Died, Com	314 Died, H Com
201 Died, Com		315 Died, H Com

316 Died, Com	320 Died, Com	324 Died, Com
317 Died, Com	321 Died, Com	325 Died, Com
318 (H Sub) Signed, St Bk	322 Died, Com	326 Died, Com
319 Died, Com	323 Died, Com	

**NUMERICAL SCHEDULE OF SENATE BILLS
2024 SESSION**

327 Died, Com	372 Died, Com	416 Died, Com
328 Died, Com	373 Died, Com	417 Died, H Com
329 Died, Com	374 Died, Com	418 Died, Com
330 Died, Com	375 Died, Com	419 (H Sub) Signed, St Bk
331 Signed, St Bk	376 Died, H Com	420 (H Sub) Signed, St Bk
332 Died, Com	377 (Sub) Died, Com	421 Died, Com
333 Signed, St Bk	378 Died, Com	422 Died, Com
334 Died, Com	379 Signed, St Bk	423 Died, Conf
335 Died, Com	380 Died, Com	424 Signed, St Bk
336 Signed, St Bk	381 Signed, St Bk	425 Died, Com
337 Died, Com	382 Died, Com	426 Died, H Com
338 Died, Conf	383 Died, Com	427 Failed, Final Action
339 Signed, Pub 5/16/24	384 Signed, St Bk	428 Died, Gen Orders
340 Died, Conf	385 Died, Com	429 Died, Com
341 Died, Com	386 Died, H Com	430 Signed St Bk
342 Died, Com	387 (H Sub) Line item veto, sustained, Pub 5/30/24	431 Signed St Bk
343 Died, Com	388 Died, Com	432 Died, Com
344 Died, Com	389 Died, Com	433 Signed St Bk
345 Signed, St Bk	390 Died, Com	434 Veto, sustained
346 Died, Com	391 Died, H Com	435 Died, Gen Orders
347 Died, H Gen Orders	392 Died, Com	436 Died, Com
348 Died, Com	393 Died, Com	437 Died, Com
349 (H Sub) Signed, St Bk	394 Law w/o Gov sign., St Bk	438 Signed, Pub 5/2/24
350 Died, Com	395 Died, Com	439 Died, Com
351 Died, Com	396 Died, Com	440 Died, Com
352 Stricken, H Cal	397 Died, Com	441 Died, Com
353 Died, Com	398 Died, Conf	442 Died, Com
354 Died, Com	399 Signed, St Bk	443 Died, Com
355 Died, Com	400 Died, Com	444 Died, Com
356 Signed, St Bk	401 Died, Com	445 Died, Com
357 Died, Com	402 Died, Com	446 Died, Com
358 Died, Com	403 Died, Com	447 Died, Com
359 Signed, St Bk	404 Died, Com	448 Died, Com
360 Signed, Pub 4/11/24	405 Signed, St Bk	449 Died, Com
361 Died, Com	406 Died, Conf	450 Died, Com
362 Signed, St Bk	407 Died, Gen Orders	451 Died, Com
363 Died, H Com	408 Died, Com	452 Died, Com
364 Died, Com	409 Died, Com	453 Died, Com
365 Failed, Final Action	410 Signed, St Bk	454 Died, Com
366 Died, Gen Orders	411 Died, Com	455 Signed, St Bk
367 Died, H Com	412 Died, Com	456 Died, Com
368 Died, Gen Orders	413 Died, Com	457 Died, H Com
369 Died, Com	414 Signed, Pub 5/23/24	458 Signed, St Bk
370 Died, Gen Orders	415 Died, Com	459 Died, Com
371 Died, H Com		460 Died, Com

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461 Died, Com	494 Died, Com	527 Died, Com
462 Signed, St Bk	495 Died, Com	528 Died, Com
463 Died, Com	496 Died, Com	529 Died, Gen Orders
464 Died, Com	497 Died, Com	530 Died, Com
465 Died, Com	498 Died, H Com	531 Died, Com
466 Died, Com	499 Died, Com	532 Died, H Com
467 Died, Conf	500 Signed, St Bk	533 Died, Com
468 Died, Gen Orders	501 Died, Com	534 Died, Com
469 Died, Com	502 Died, Com	535 Died, Com
470 Died, Com	503 Died, Com	536 Died, Com
471 Died, Com	504 Died, Com	537 Died, Gen Orders
472 Died, Com	505 Died, Gen Orders	538 Died, Com
473 Veto, overridden, St Bk	506 Died, Com	539 Died, H Com
474 Died, Com	507 Died, Com	540 Died, Com
475 Died, Com	508 Died, Com	541 Died, Com
476 Died, Gen Orders	509 Died, Gen Orders	542 Died, Gen Orders
477 Died, Com	510 Died, Gen Orders	543 Died, Com
478 Died, Com	511 Died, Com	544 Died, H Com
479 Died, Com	512 Died, Com	545 Died, Gen Orders
480 Died, H Com	513 Died, Com	546 Died, Com
481 Signed, St Bk	514 (Sub) Died, H Com	547 Died, Com
482 Died, H Com	515 Died, Com	548 Died, Com
483 Died, Com	516 Died, Com	549 Died, Com
484 Died, H Com	517 Died, Com	550 Died, Com
485 Died, Com	518 Died, Com	551 Died, Com
486 Died, Com	519 Died, Com	552 Died, H Com
487 Died, Gen Orders	520 Died, Com	553 Died, H Com
488 Died, H Com	521 Died, Com	554 Died, Com
489 Died, Com	522 Died, Com	555 Died, Com
490 Died, Com	523 Died, Com	556 Died, Com
491 Signed, St Bk	524 Died, H Com	557 Died, Com
492 Died, Com	525 Died, Com	558 Died, Com
493 Died, H Com	526 Died, Com	559 Died, Com

**NUMERICAL SCHEDULE OF
SENATE CONCURRENT RESOLUTIONS
CARRIED OVER FROM 2023 SESSION**

1604 Died, Com	1606 Died, Com	1609 Not Adopted by 2/3
1605 Died, Com	1608 Died, Com	1611 Died, H Com

**NUMERICAL SCHEDULE OF
SENATE CONCURRENT RESOLUTIONS
2024 SESSION**

1613 Died, Com	1616 Died, Com	1619 Adopted & Enr
1614 Died, Com	1617 Died, Com	1620 Died, H Com
1615 Died, Com	1618 Died, Com	1621 Died, Com

**NUMERICAL SCHEDULE OF SENATE RESOLUTIONS
2024 SESSION**

1728 Adopted & Enr	1730 Died, Com	1732 Adopted & Enr
1729 Adopted & Enr	1731 Adopted & Enr	1733 Died, Com

1734 Adopted & Enr	1743 Adopted & Enr	1752 Adopted & Enr
1735 Adopted & Enr	1744 Adopted & Enr	1753 Adopted & Enr
1736 Adopted & Enr	1745 Adopted & Enr	1754 Adopted & Enr
1737 Adopted & Enr	1746 Adopted & Enr	1755 Adopted & Enr
1738 Adopted & Enr	1747 Adopted & Enr	1756 Adopted & Enr
1739 Adopted & Enr	1748 Adopted & Enr	1757 Adopted & Enr
1740 Died, Com	1749 Adopted & Enr	1758 Adopted & Enr
1741 Adopted & Enr	1750 Adopted & Enr	1759 Adopted & Enr
1742 Withdrawn	1751 Adopted & Enr	

SENATE ACTION ON HOUSE BILLS CARRIED OVER FROM 2023

2017 Died, S Com	2140 Died, S Com	2376 Died, S Com
2018 Died, S Com	2144 (S Sub) CCR Adopted	2378 Died, S Com
2023 Died, S Com	2149 Died, S Com	2387 Died, S Com
2026 (S Sub) Died, S Gen Orders	2176 CCR Adopted	2388 Died, S Com
2033 Died, S Gen Orders	2179 Died, S Com	2392 CCR Adopted
2034 Died, S Gen Orders	2191 Died, S Gen Orders	2398 Died, S Com
2036 Veto, sustained	2194 Died, S Com	2400 Died, S Com
2047 (S Sub) CCR Adopted	2198 Died, S Com	2401 Died, S Com
2056 (S Sub) Died, S Gen Orders	2201 (S Sub) Died, S Gen Orders	2408 Died, S Com
2069 (S Sub) Died, S Gen Orders	2229 Died, S Gen Orders	2412 Died, S Com
2070 (S Sub) Died, Conf	2232 (S Sub) Died, S Gen Orders	2414 Died, S Com
2077 (Sub) Died, S Gen Orders	2247 (S Sub) Passed	2416 (S Sub) Died, S Gen Orders
2083 Died, S Com	2254 Died, S Gen Orders	2418 Died, S Com
2086 Died, S Gen Orders	2260 Died, S Com	2421 Died, S Com
2089 Died, Conf	2275 Died, S Com	2422 (S Sub) Died, S Gen Orders
2096 CCR Adopted	2284 CCR Adopted	2436 (S Sub) Veto, overridden
2097 CCR Adopted	2291 Died, S Com	2438 Died, S Com
2098 Veto, overridden	2293 Died, S Gen Orders	2439 Died, S Com
2105 CCR Adopted	2314 Died, S Com	2443 Died, S Com
2106 Died, S Gen Orders	2317 (S Sub) Died, S Gen Orders	2446 Passed, Final Action
2124 CCR Adopted	2331 Died, S Com	2449 Died, S Com
2132 Died, S Com	2338 Died, S Gen Orders	2452 Died, S Com
2133 Died, S Com	2340 Died, S Gen Orders	2465 Veto, overridden
	2375 Died, Conf	

SENATE ACTION ON HOUSE BILLS 2024 SESSION

2101 Died, S Gen Orders	2477 Pass, Amended	2498 CCR Adopted
2103 (Sub) Died, S Com	2481 CCR Adopted	2499 Died, S Gen Orders
2168 (Sub) Died, S Gen Order	2483 Pass, Amended	2500 Died, S Com
2273 (Sub) Died, S Com	2484 Passed, Final Action	2501 CCR Adopted
2353 Passed, Final Action	2487 Died, S Gen Orders	2507 Died, S Com
2358 Pass, Amended	2490 Died, S Gen Orders	2510 Died, S Com
2385 Died, S Com	2491 Passed, Final Action	2512 (Sub) Died, S Com
2453 Passed, Final Action	2494 (Sub) Died, S Com	2516 Died, S Com
2460 (Sub) Died, S Com	2495 Died, S Com	2521 Died, S Com

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2522 Died, S Com	2608 Died, S Com	2703 Passed, Final Action
2525 Passed, Final Action	2609 (Sub) Died, S Com	2705 Died, S Com
2527 CCR Adopted	2613 Died, S Com	2711 CCR Adopted
2530 CCR Adopted	2614 CCR Adopted	2715 Died, Conf
2531 CCR Adopted	2615 Passed, Final Action	2731 Died, S Com
2532 CCR Adopted	2616 Died, S Com	2741 Died, S Gen Orders
2536 Passed, Final Action	2618 Veto, sustained	2745 Passed, Final Action
2543 Died, S Gen Orders	2623 Died, S Com	2749 Veto, overridden
2545 Pass, Amended	2628 Passed, Final Action	2751 Died, S Gen Orders
2547 CCR Adopted	2629 Pass, Amended	2754 Passed, Final Action
2549 Passed, Final Action	2632 Passed, Final Action	2755 Died, S Gen Orders
2551 CCR Adopted	2633 Died, S Com	2757 Died, S Com
2557 Passed, Final Action	2634 Passed, Final Action	2760 CCR Adopted
2560 CCR Adopted	2645 (S Sub) Died, S Gen Orders	2777 Died, S Gen Orders
2561 Passed, Final Action	2646 (S Sub) Died, S Com	2781 Passed, Final Action
2562 CCR Adopted	2648 Veto, overridden	2783 Passed, Final Action
2567 Died, S Com	2653 Died, S Com	2784 CCR Adopted
2570 (Sub) CCR Adopted	2654 Died, S Com	2787 CCR Adopted
2577 Pass, Amended	2660 Passed, Final Action	2790 Pass, Amended
2578 Died, S Gen Orders	2661 Passed, Final Action	2800 Died, S Com
2579 Died, S Gen Orders	2663 Died, Conf	2806 Died, S Com
2583 Veto, overridden	2665 Passed, Amended	2810 Died, S Com
2587 Passed, Final Action	2669 Died, S Com	2816 Died, S Com
2588 CCR Adopted	2675 Pass, Amended	2819 (S Sub) Died, S Gen Orders
2590 Passed, Final Action	2676 (Sub) Died, S Com	2828 Died, S Com
2596 Died, S Gen Orders	2678 Died, S Com	2829 Died, S Com
2601 Died, S Gen Orders	2679 Died, S Com	2830 Died, S Com
2604 Passed, Final Action	2682 Died, S Gen Orders	2831 Died, S Com
2605 Passed, Final Action	2690 Pass, Amended	2833 Died, S Com
2606 Died, S Com	2698 Died, S Com	2834 Died, S Com
2607 Pass, Amended		

**SENATE ACTION ON HOUSE CONCURRENT RESOLUTIONS
CARRIED OVER FROM 2023 SESSION**

5004 Died, S Com	5013 Stricken
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**SENATE ACTION ON HOUSE CONCURRENT RESOLUTIONS
2024 SESSION**

5018 Adopted	5026 Died, S Com
5019 Adopted	5027 Adopted

**STATUS OF ENROLLED BILLS AND RESOLUTIONS
2024 SESSION**

Senate bills signed by the Governor: Nos. 15, 18, 19, 27, 73, 115, 143, 195, 287, 291, 292, 307, 318, 331, 333, 336, 339, 345, 349, 356, 359, 360, 362, 379, 381, 384, 399, 405, 410, 414, 419, 420, 424, 430, 431, 433, 438, 455, 458, 462, 481, 491, 500

Senate bills becoming law without Governor's signature: Nos. 394

Senate bills vetoed by Governor, veto overridden: Nos. 473

Senate bills vetoed by Governor, veto sustained: Nos. 37, 172, 232, 233, 271, 434

Senate bills with line-item vetoes; line-item vetoes considered: Nos. 28

Senate bills with line-item veto; line-item veto sustained: Nos. 387

Senate resolutions adopted: Nos. 1728, 1729, 1731, 1732, 1734, 1735, 1736, 1737, 1738, 1739, 1741, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759

Senate concurrent resolutions adopted by both Houses: Nos. 1619

Note: the following Senate bills were published in Kansas Register:
Nos. 15, 28, 339, 360, 387, 414, 438

LEGEND

Cal	Calendar
Conference	Conference Committee
CCR	Conference Committee Report
Enr	Enrolled
Gen Orders	General Orders
H	House
Pass, Amended	Passed as Amended
Pub	Published in Kansas Register (Effective date printed)
S	Senate
St Bk	Statute Book (July 1, 2024)
Sub	Substitute

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- SB 71 Requiring the secretary of agriculture to establish a division of sustainable agriculture that shall apply for federal grant funds under the greenhouse gas reduction fund to assist farmers in converting to renewable energy and sustainable agriculture practices.
- SB 359 Providing for the Kansas City Chiefs distinctive license plate.
- SB 421 Providing a sales tax exemption for exploration place, inc.

Baumgardner, Molly

- SB 479 Transferring teachers from the KPERS 3 cash balance plan to the KPERS 2 plan and defining teachers for purposes of KPERS.

Billinger, Rick

- SB 13 Permitting certain local broadcasters to provide broadcast services of a school's postseason activities notwithstanding if the state high school activities association enters into an exclusive broadcast agreement for postseason activities.

Blasi, Chase

- SB 58 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 63 Expanding the scope of uses of campaign contributions to include family caregiving services.
- SB 110 Exempting all social security benefits from Kansas income tax.
- SB 139 Expanding newborn screening services and increasing transfer from the medical assistance fee fund to the Kansas newborn screening fund.
- SB 147 Increasing the income tax credit amount for adoption expenses and making the credit refundable.
- SB 421 Providing a sales tax exemption for exploration place, inc.
- SB 431 Directing the capitol preservation committee to approve plans for a memorial honoring Emil Joseph Kapaun.
- SB 479 Transferring teachers from the KPERS 3 cash balance plan to the KPERS 2 plan and defining teachers for purposes of KPERS.

Bowers, Elaine

- SB 3 Designating *Silvisaurus condrayi* as the official state land fossil.
- SB 11 Reauthorizing the placement of a life-size version of the "Ad Astra" sculpture on state capitol grounds, transferring the approval authority to the capitol preservation committee and making appropriations for the department of administration for FY 2023.
- SB 29 Providing a back-to-school sales tax holiday for sales of school supplies, computers and clothing.
- SB 58 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.
- SB 359 Providing for the Kansas City Chiefs distinctive license plate.
- SB 431 Directing the capitol preservation committee to approve plans for a memorial honoring Emil Joseph Kapaun.

Claeys, J.R.

- SB 29 Providing a back-to-school sales tax holiday for sales of school supplies, computers and clothing.
- SB 58 Providing a sales tax exemption for certain purchases by disabled veterans.

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SB 359 Providing for the Kansas City Chiefs distinctive license plate.

Corson, Ethan

SB 58 Providing a sales tax exemption for certain purchases by disabled veterans.

SB 63 Expanding the scope of uses of campaign contributions to include family caregiving services.

SB 64 Prohibiting certain statewide elected officials from receiving income from outside employment while holding such statewide office.

SB 69 Imposing requirements for reapportionment legislation.

SB 70 Enacting the making work pay act to increase the Kansas minimum wage.

SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.

SB 171 Creating the veterans first medical cannabis act to regulate the cultivation, distribution, sale, possession and use of medical cannabis.

SB 197 Allowing voters to register on election day.

SB 359 Providing for the Kansas City Chiefs distinctive license plate.

Dietrich, Brenda

SB 58 Providing a sales tax exemption for certain purchases by disabled veterans.

SB 211 Abolishing the death penalty and creating the crime of aggravated murder.

SB 359 Providing for the Kansas City Chiefs distinctive license plate.

Doll, John

SB 29 Providing a back-to-school sales tax holiday for sales of school supplies, computers and clothing.

SB 58 Providing a sales tax exemption for certain purchases by disabled veterans.

SB 131 Providing an exemption from licensure requirements for certain out-of-state physicians practicing on a limited basis in the state.

SB 171 Creating the veterans first medical cannabis act to regulate the cultivation, distribution, sale, possession and use of medical cannabis.

SB 211 Abolishing the death penalty and creating the crime of aggravated murder.

Erickson, Renee

SB 131 Providing an exemption from licensure requirements for certain out-of-state physicians practicing on a limited basis in the state.

SB 421 Providing a sales tax exemption for exploration place, inc.

SB 479 Transferring teachers from the KPERS 3 cash balance plan to the KPERS 2 plan and defining teachers for purposes of KPERS.

Fagg, Michael

SB 4 Providing for a sales tax exemption for construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf.

SB 359 Providing for the Kansas City Chiefs distinctive license plate.

SB 421 Providing a sales tax exemption for exploration place, inc.

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SB 2 Authorizing certain individuals with revoked driver's licenses to be eligible for restricted driving privileges.

SB 29 Providing a back-to-school sales tax holiday for sales of school supplies,

computers and clothing.

- SB 59 Designating "Martin Luther King, Jr. Day at the Capitol."
- SB 132 Providing for the buffalo soldier distinctive license plate.
- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 171 Creating the veterans first medical cannabis act to regulate the cultivation, distribution, sale, possession and use of medical cannabis.
- SB 177 Declaring Juneteenth National Independence Day to be a legal public holiday and closing state offices for certain legal public holidays.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.
- SB 359 Providing for the Kansas City Chiefs distinctive license plate.
- SB 421 Providing a sales tax exemption for exploration place, inc.
- SB 464 Creating the Kansas small, minority, woman, disadvantaged and service-disabled veteran business enterprise development act, providing for development of such business enterprises through greater participation in providing goods and services to state agencies and postsecondary educational institutions and requiring development of plans and goals for such participation, establishing the office of minority and women business development within the department of commerce and providing for an advisory committee on certified small business enterprises.

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- SB 71 Requiring the secretary of agriculture to establish a division of sustainable agriculture that shall apply for federal grant funds under the greenhouse gas reduction fund to assist farmers in converting to renewable energy and sustainable agriculture practices.
- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 171 Creating the veterans first medical cannabis act to regulate the cultivation, distribution, sale, possession and use of medical cannabis.
- SB 206 Enacting the medical autonomy/accessibility and truth act to remove certain provisions regarding abortion from the no taxpayer funding for abortion act, the woman's-right-to-know act and the pain-capable unborn child act to allow for insurance coverage for abortions, provide tax benefits for abortion-related services and remove inaccurate statements regarding the risks of abortion.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.
- SB 213 Requiring healthcare providers to charge the same amount for medical record requests related to a patient's social security disability, workers' compensation, medical malpractice or personal injury claims whether requested by a patient or the patient's legal representative.

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- SB 359 Providing for the Kansas City Chiefs distinctive license plate.

Haley, David

- SB 59 Designating "Martin Luther King, Jr. Day at the Capitol."
- SB 132 Providing for the buffalo soldier distinctive license plate.
- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 154 Limiting the amount of fees, taxes and other charges on a utility bill assessed by a board of public utilities.
- SB 171 Creating the veterans first medical cannabis act to regulate the cultivation, distribution, sale, possession and use of medical cannabis.

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- SB 177 Declaring Juneteenth National Independence Day to be a legal public holiday and closing state offices for certain legal public holidays.
- SB 178 Requiring judicial foreclosure tax sales by public auction to be held in person at a physical location in the county.
- SB 179 Providing that payment of special assessments for years other than the year being redeemed is not required for purposes of partial redemption of homesteads with delinquent property taxes.
- SB 182 Requiring a person convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child to pay restitution in the form of child support.
- SB 183 Increasing the penalty for certain violations of criminal discharge of a firearm when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm.
- SB 186 Creating the crime of deprivation of rights under color of law and providing a civil action for victims.
- SB 187 Providing for payment of interest in civil actions for wrongful conviction and directing the attorney general to seek damages for the state from any person who knowingly contributed to the wrongful conviction and prosecute ouster and criminal proceedings as warranted.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.

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- SB 87 Requiring a duly ordained minister of religion to report certain abuse and neglect of children.
- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 141 Requiring the attorney general to carry out certain duties related to investigating corruption committed by a public officer or public employee.
- SB 146 Requiring the attorney general to carry out certain duties related to investigating sexual abuse committed by a minister of religion.
- SB 171 Creating the veterans first medical cannabis act to regulate the cultivation, distribution, sale, possession and use of medical cannabis.
- SB 199 Authorizing the state banking board to deny, suspend or revoke a charter of a fiduciary financial institution in certain circumstances, requiring fiduciary financial institutions to purchase a surety bond and establishing a civil money penalty for violations of the technology-enabled fiduciary financial institutions act.
- SB 200 Limiting the number of terms a legislator may serve as speaker of the house of representatives or president of the senate.
- SB 206 Enacting the medical autonomy/accessibility and truth act to remove certain provisions regarding abortion from the no taxpayer funding for abortion act, the woman's-right-to-know act and the pain-capable unborn child act to allow for insurance coverage for abortions, provide tax benefits for abortion-related services and remove inaccurate statements regarding the risks of abortion.
- SB 327 Excluding social security payments from household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased property tax homestead claims and citing the section as the golden years homestead property tax freeze program.
- SB 328 Prohibiting legislators from accepting any state employment and the lieutenant governor from employment as a state agency head.
- SB 329 Discontinuing the angel investor tax credit program after 2024.

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- SB 89 Providing for sales tax exemption for feminine hygiene products and diapers.
- SB 137 Creating the responsible gun ownership act and establishing the crime of unlawful storage of a firearm.
- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 184 Requiring nonpublic schools to participate in certain assessments and publish on their website performance accountability reports and longitudinal achievement reports.
- SB 185 Authorizing school districts to include a teacher representative and a student representative as non-voting members of its board of education.
- SB 197 Allowing voters to register on election day.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.
- SB 432 Prohibiting advertising of sports wagering through internet websites and electronic device applications.

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- SB 331 Removing the definition of lead-free and an exception for leaded joints in the public water supply systems law and updating terminology relating to hazardous waste generated by certain persons.
- SB 421 Providing a sales tax exemption for exploration place, inc.

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- SB 58 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 108 Prohibiting motorcycle profiling by law enforcement agencies.
- SB 359 Providing for the Kansas City Chiefs distinctive license plate.
- SB 479 Transferring teachers from the KPERS 3 cash balance plan to the KPERS 2 plan and defining teachers for purposes of KPERS.

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- SB 359 Providing for the Kansas City Chiefs distinctive license plate.

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- SB 359 Providing for the Kansas City Chiefs distinctive license plate.
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- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.

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- SB 332 Providing for the distribution of local ad valorem tax reduction fund (LAVTRF) moneys from the state to residential property taxpayers in the form of rebates.
- SB 378 Establishing the Kansas trade service scholarship act and making appropriations to the state board of regents for fiscal year 2025 to provide grants to community colleges, technical colleges and the Washburn institute of technology for capital improvements, repairs and maintenance of trade program buildings.
- SB 411 Abolishing the division of legislative post audit, creating the statewide elected office of state auditor and enacting the state audit act.

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O'Shea, Kristen

- SB 63 Expanding the scope of uses of campaign contributions to include family caregiving services.

Peck, Virgil

- SB 29 Providing a back-to-school sales tax holiday for sales of school supplies, computers and clothing.
- SB 58 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 123 Deeming military veterans and spouses or dependents of such veterans who were stationed in Kansas for at least 11 months as residents for purposes of tuition and fees at postsecondary educational institutions.
- SB 128 Establishing the ad astra opportunity tax credit to provide an income tax credit for taxpayers with eligible dependent children not enrolled in public school.
- SB 359 Providing for the Kansas City Chiefs distinctive license plate.
- SB 432 Prohibiting advertising of sports wagering through internet websites and electronic device applications.

Petersen, Mike

- SB 29 Providing a back-to-school sales tax holiday for sales of school supplies, computers and clothing.
- SB 359 Providing for the Kansas City Chiefs distinctive license plate.
- SB 421 Providing a sales tax exemption for exploration place, inc.

Petty, Pat

- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 171 Creating the veterans first medical cannabis act to regulate the cultivation, distribution, sale, possession and use of medical cannabis.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.

Pittman, Jeff

- SB 58 Providing a sales tax exemption for certain purchases by disabled veterans.
- SB 63 Expanding the scope of uses of campaign contributions to include family caregiving services.
- SB 108 Prohibiting motorcycle profiling by law enforcement agencies.
- SB 123 Deeming military veterans and spouses or dependents of such veterans who were stationed in Kansas for at least 11 months as residents for purposes of tuition and fees at postsecondary educational institutions.
- SB 124 Allowing a Kansas itemized deduction for wagering losses for income tax purposes.
- SB 131 Providing an exemption from licensure requirements for certain out-of-state physicians practicing on a limited basis in the state.
- SB 132 Providing for the buffalo soldier distinctive license plate.
- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 171 Creating the veterans first medical cannabis act to regulate the cultivation, distribution, sale, possession and use of medical cannabis.
- SB 196 Reinstating transfers to the local ad valorem tax reduction fund (LAVTRF).
- SB 197 Allowing voters to register on election day.
- SB 198 Providing a postretirement cost-of-living adjustment for certain KPERs retirees.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.
- SB 359 Providing for the Kansas City Chiefs distinctive license plate.

Pyle, Dennis

- SB 385 Designating the members of the Kansas senate as delegates to a convention of the states called pursuant to article V of the constitution of the United States.

Reddi, Usha

- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.

Ryckman, Ronald

- SB 359 Providing for the Kansas City Chiefs distinctive license plate.

Shallenburger, Tim

- SB 359 Providing for the Kansas City Chiefs distinctive license plate.

Steffen, Mark

- SB 1 Prohibiting internet social media terms of service that permit censorship of speech and making violations subject to civil fines under the Kansas consumer protection act.
- SB 5 Prohibiting the prescribing of drugs intended to cause an abortion using telemedicine and restricting the governor's power during a state of emergency to alter such prohibitions.
- SB 6 Restricting the authority of the secretary of health and environment and local health officers to prevent the introduction and spread of infectious or contagious diseases; repealing the authority of the secretary to quarantine individuals and impose associated penalties.
- SB 7 Reducing income tax rates for resident individuals domiciled in a rural equity decline county.
- SB 8 Reducing penalties for the late filing of and the failure to file personal property renditions and the discovery of escaped personal property.
- SB 9 Adding tianeptine to schedule I of the uniform controlled substances act.
- SB 12 Enacting the Kansas child mutilation prevention act to criminalize performing gender reassignment surgery or prescription of hormone replacement therapy on certain persons and providing grounds for unprofessional conduct for healing arts licensees.
- SB 20 Requiring child care facilities, elementary, secondary, postsecondary educational institutions and employers to grant exemptions from vaccine requirements without inquiring into the sincerity of the request and repealing the meningitis vaccine requirement to live in student housing.
- SB 50 Prohibiting internet social media terms of service that permit censorship of speech.
- SB 128 Establishing the ad astra opportunity tax credit to provide an income tax credit for taxpayers with eligible dependent children not enrolled in public school.

Straub, Alicia

- SB 50 Prohibiting internet social media terms of service that permit censorship of speech.
- SB 63 Expanding the scope of uses of campaign contributions to include family caregiving services.
- SB 128 Establishing the ad astra opportunity tax credit to provide an income tax credit for taxpayers with eligible dependent children not enrolled in public school.

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- SB 212 Permitting an ambulance to operate with one emergency medical service provider in rural counties.

Sykes, Dinah

- SB 139 Expanding newborn screening services and increasing transfer from the medical assistance fee fund to the Kansas newborn screening fund.
- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.

Thompson, Mike

- SB 12 Enacting the Kansas child mutilation prevention act to criminalize performing gender reassignment surgery or prescription of hormone replacement therapy on certain persons and providing grounds for unprofessional conduct for healing arts licensees.
- SB 20 Requiring child care facilities, elementary, secondary, postsecondary educational institutions and employers to grant exemptions from vaccine requirements without inquiring into the sincerity of the request and repealing the meningitis vaccine requirement to live in student housing.
- SB 50 Prohibiting internet social media terms of service that permit censorship of speech.
- SB 128 Establishing the ad astra opportunity tax credit to provide an income tax credit for taxpayers with eligible dependent children not enrolled in public school.
- SB 359 Providing for the Kansas City Chiefs distinctive license plate.
- SB 479 Transferring teachers from the KPERS 3 cash balance plan to the KPERS 2 plan and defining teachers for purposes of KPERS.

Ware, Mary

- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.
- SB 421 Providing a sales tax exemption for exploration place, inc.

Warren, Kellie

- SB 359 Providing for the Kansas City Chiefs distinctive license plate.

Wilborn, Rick

- SB 359 Providing for the Kansas City Chiefs distinctive license plate.
- SB 431 Directing the capitol preservation committee to approve plans for a memorial honoring Emil Joseph Kapaun.

State Legislature, Senate Committees

Agriculture and Natural Resources

- SB 105 Authorizing the Kansas department of wildlife and parks to purchase land in Jewell county.
- SB 120 Authorizing the secretary of health and environment to adopt rules and regulations for an annual certification program for the replacement of distribution systems segments and increasing the amortization period on loans from the Kansas water pollution control revolving fund.
- SB 205 Authorizing certain water rights in a water bank to participate in multi-year flex accounts on a temporary basis.
- SB 336 Removing the requirement for underground storage tank operating permits to be

- obtained annually.
- SB 347 Requiring senate confirmation of appointees to the wildlife and parks commission.
 - SB 389 Prohibiting entering or remaining on and knowingly making false statements to gain access to animal facilities and field crop production areas, providing penalties therefor and removing the intent to destroy property in the farm animal and field crop and research facilities protection act.
 - SB 417 Removing the secretary of wildlife and park's authority to exercise the right of eminent domain.

Assessment and Taxation

- SB 21 Providing an annual sales tax holiday for sales of certain school supplies.
- SB 22 Providing a sales tax exemption for certain purchases and sales by the Johnson county Christmas bureau association.
- SB 30 Increasing the Kansas standard deduction by a cost-of-living adjustment for income tax purposes.
- SB 33 Exempting all social security benefits from Kansas income tax.
- SB 40 Permitting the carryforward of certain net operating losses for individuals for Kansas income tax purposes.
- SB 41 Providing a remittance credit to retailers for the collection of sales and compensating use tax.
- SB 52 Increasing the income limit for the exemption of social security benefits and exempting certain retirement plan income from Kansas income tax.
- SB 53 Excluding manufacturers' coupons from the sales or selling price for sales tax purposes.
- SB 54 Expanding the eligible uses to qualify for the 0% state sales tax rate for certain utilities and providing for the levying of local sales tax on such sales by cities and counties.
- SB 55 Providing a back-to-school sales tax holiday for sales of certain school supplies, computers and clothing.
- SB 56 Increasing the income limit for the income tax subtraction modification for social security income.
- SB 57 Establishing a 0% state rate for sales and use taxes for food and food ingredients, providing a sales tax exemption for children's diapers and feminine hygiene products, establishing the STAR bonds food sales tax revenue replacement fund and altering the calculation for STAR bond districts.
- SB 60 Providing a sales tax exemption for custom meat processing services.
- SB 61 Providing an income tax rate of 5% for individuals and corporations, decreasing the surtax for entities subject to the privilege tax and providing that future income tax rate decreases be contingent on exceeding revenue estimates.
- SB 79 Authorizing counties to impose an earnings tax.
- SB 80 Excluding social security payments from household income for eligibility of seniors and disabled veterans related to increased property tax homestead claims.
- SB 81 Providing a Kansas income tax subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances.
- SB 94 Discontinuing state property tax levies for the Kansas educational building fund and the state institutions building fund and providing for financing therefor from the state general fund.
- SB 96 Establishing an income, privilege and premium tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities.
- SB 97 Increasing the extent of property tax exemption for residential property from the statewide school levy.

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- SB 101 Providing a sales tax exemption for area agencies on aging.
- SB 125 Allowing income tax net operating loss carryback from the sale of certain historic hotels.
- SB 126 Providing an individual income tax credit for certain residential solar and wind energy expenditures.
- SB 127 Providing countywide retailers' sales tax authority for Dickinson county.
- SB 129 Providing a sales tax exemption for purchases of personal property or services by doorstep, inc.
- SB 130 Requiring certain license plates to have the motor vehicle county of registration identified on the plate.
- SB 138 Expanding and clarifying the property tax exemption for Strother field airport property.
- SB 168 Authorizing cities and counties to exempt sales of food and food ingredients from sales taxes levied by such city or county.
- SB 169 Providing an income tax rate of 4.75% for individuals.
- SB 227 Allowing a retailer to retain the state rate of sales and compensating use tax from movie ticket sales and concession sales.
- SB 230 Enacting the Kansas thrift savings plan act and establishing terms, conditions, requirements, membership elections, accounts, benefits, contributions and distributions related to such act.
- SB 247 Providing a sales tax exemption for purchases by a not-for-profit corporation operating a community theater.
- SB 248 Providing a sales tax exemption for healthy food and repealing the state rate reduction for sales of certain food and food ingredients.
- SB 252 Providing for exemptions from property tax and sales tax for certain businesses competing against governmental entities.
- SB 263 Requiring director of property valuation appraiser directives be established by rules and regulations.
- SB 264 Increasing the income tax credit amount for household and dependent care expenses.
- SB 273 Eliminating the zoning and planning authority for cities in the three-mile area extending from the city boundaries.
- SB 274 Requiring the use of the cost approach for special purpose property for property tax valuation purposes.
- SB 293 Crediting tax revenue generated from wagers made on historical horse races to the horse breeding development fund and the horse fair racing benefit fund.
- SB 300 Decreasing the privilege tax rates on banks, trust companies and savings and loan associations by reducing the normal tax rates.
- SB 306 Including losses from investments in technology-enabled fiduciary financial institutions in Kansas adjusted gross income for income tax purposes.
- SB 311 Excluding internal revenue code section 1031 exchange transactions as indicators of fair market value for property tax valuation purposes.
- SB 312 Requiring the approval of the board of county commissioners prior to the exercise of the power of eminent domain by certain public utilities.
- SB 313 Clarifying the determination of taxable income and providing for the passing through of tax credits to electing pass-through entity owners for purposes of the salt parity act.
- SB 323 Providing for the election of county appraisers.
- SB 376 Extending the time period for the single city port authority income tax credit.
- SB 377 Increasing the extent of property tax exemption for residential property from the statewide school levy, decreasing the normal rate of privilege tax, increasing the household and dependent care expenses income tax credit amount, exempting all social security benefits from Kansas income tax, increasing the Kansas standard

- deduction, providing for an annual sales tax holiday for certain sales of school supplies, computers and clothing, providing sales tax exemptions for children's diapers and feminine hygiene products and reducing the state rate of tax on sales of food and food ingredients to 0% on April 1, 2024.
- SB 403 Providing a sales tax exemption for be able, inc.
- SB 410 Designating a portion of United States highway 69 as the Ken W Brock memorial highway.
- SB 429 Reducing the state rate of tax on sales of food and food ingredients to 0% on April 1, 2024.
- SB 436 Establishing a child income tax credit.
- SB 451 Creating the Dwayne Peaslee technical training center district act to authorize the establishment of the Dwayne Peaslee technical training center district in Douglas county.
- SB 452 Excluding certain school district bond and interest levies from increased property tax homestead refund claim amounts.
- SB 453 Excluding social security payments from household income and expanding eligibility related to increased property tax homestead property tax refund claims.
- SB 454 Providing a sales tax exemption for purchases of property and services by nonprofit organizations distributing food pursuant to a food distribution program on a charitable basis.
- SB 466 Permitting purchasers to pay the sales tax on sales of trailers to the director of taxation or county treasurer instead of being collected by retailers.
- SB 468 Prohibiting cities and counties that grant or approve certain property tax exemptions or tax increment financing from exceeding their revenue neutral rates for property tax purposes.
- SB 480 Authorizing teleconference or video conference hearings in the small claims and expedited hearings division of the state board of tax appeals.
- SB 494 Enacting the adoption savings account act, allowing individuals to establish adoption savings accounts with certain financial institutions, providing eligible expenses, requirements and restrictions for such accounts and establishing addition and subtraction modifications for contributions to such accounts under the Kansas income tax act.
- SB 498 Establishing a tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities and establishing a child tax credit, increasing the tax credit amount for adoption expenses and making the credit refundable and providing a sales tax exemption for pregnancy resource centers and residential maternity facilities.
- SB 507 Providing for the apportionment of business income by the single sales factor and requiring the use of single sales factor pursuant to the multistate tax compact.
- SB 509 Establishing the education opportunity tax credit to provide an income tax credit for taxpayers with eligible dependent children not enrolled in public school.
- SB 515 Providing a sales tax exemption for the Dane G. Hansen foundation.
- SB 516 Exempting elevators that are owned by a nonprofit organization with a maintenance service contract for such elevator from the annual inspection requirement under the elevator safety act.
- SB 520 Providing a sales tax exemption for certain not-for-profit organizations that provide public transportation services.
- SB 521 Enacting the "Defense of affordable prescriptions act" to prohibit certain discriminatory actions related to reimbursement of entities participating in the federal 340B drug pricing program.
- SB 522 Creating the crime of unlawful entry into the state of Kansas and requiring notification of federal immigration authorities upon arrest for such offense.
- SB 532 Establishing a blueprint for literacy to create a literacy advisory committee,

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appoint a director of literacy education, require the state board of regents and the state board of education to collaborate on a literacy micro-credential and professional development, authorize the state board of regents to recommend diagnostic and formative literacy assessments, authorize university presidents and deans of education oversight over postsecondary literacy courses and require a plan to establish centers of excellence in reading.

- SB 536 Requiring political subdivisions to adopt a budget that remains at or below revenue neutral and use funds to reduce property tax in order to receive local ad valorem tax reduction fund (LAVTRF) distributions.
- SB 537 Providing countywide retailers' sales tax authority for Neosho county.
- SB 539 Simplifying income tax rates for individuals, increasing the standard deduction and the Kansas personal exemption, increasing the income limit for an income tax subtraction modification for social security income, increasing the extent of property tax exemption for residential property from the statewide school levy, decreasing the privilege tax normal tax rate and establishing a 0% state rate for sales and use taxes for sales of food and food ingredients on July 1, 2024.
- SB 540 Prohibiting certain discriminatory actions related to reimbursement of entities participating in the federal 340B drug pricing program.
- SB 544 Establishing a Kansas academic excellence scholarship program to replace the Kansas ethnic minority scholarship program.
- SB 545 Providing a sales tax exemption for the construction or remodeling of a qualified data center in Kansas and the purchase of data center equipment, eligible data center costs, electricity and certain labor costs to qualified firms that commit to a minimum investment of at least \$600,000,000 and meet new Kansas jobs and other requirements.
- SB 546 Decreasing the corporate income tax rate, discontinuing tax credits of the high performance incentive program and payroll withholding tax benefits of the promoting employment across Kansas act and repealing certain unused tax credits.

Commerce

- SB 47 Prohibiting cities and counties from regulating consumer merchandise and auxiliary containers for the consumption, transportation or protection of consumer merchandise.
- SB 91 Enacting the Kansas film and digital media industry production development act, providing a tax credit, sales tax exemption and loans and grants to incentivize film, video and digital media production in Kansas and establishing a program to be administered by the secretary of commerce for the purpose of developing such production in Kansas.
- SB 114 Creating definitions for "advanced recycling" and related terms and separating advanced recycling from the current solid waste management system.
- SB 136 Providing a tax credit for the installation of certain water conservation systems in newly constructed houses.
- SB 164 Providing a \$2,000 tax credit for qualified employees of licensed child care facilities.
- SB 165 Permitting workers compensation benefits for first responders who suffer from post-traumatic stress disorder.
- SB 229 Providing for the city of Topeka distinctive license plates.
- SB 430 Providing workers compensation act coverage for the Kansas national guard, limiting benefit reductions for retirement benefits, increasing dependents death benefits, reducing certain functional impairment requirements, increasing compensation for certain disability categories and for treatment without authorization, raising the evidentiary standard for future medical treatment,

limiting certain procedures for post-award medical benefit claims, allowing benefit payment by funds transfer or payment cards, establishing procedures for neutral healthcare examinations, exchanges and admission of medical reports, extending employee injury notification deadlines, eliminating the deadline for motions to avoid dismissal for lack of prosecution, providing for expedited settlement and digital recording of hearings and other changes to the workers compensation act.

- SB 467 Increasing the membership appointed by the governor on the council on travel and tourism and updating the house committee assignment required for house members from the committee on agriculture and natural resources to the committee on commerce, labor and economic development;reducing the required allocation of funds from the department of commerce's matching grant program for the promotion of tourism by public and nonprofit entities and removing the restriction on the percentage of such funds granted to a single entity.
- SB 478 Defining benefit year, temporary unemployment and other terms in the employment security law, requiring electronic filing for certain employers, establishing qualifications for employment security board of review candidates, extending the deadline for new accounts following business acquisitions, making certain changes to the employer rate schedules, enabling employers to report claimant work search issues, confirming legislative coordinating council oversight for the new unemployment insurance information technology system implementation, authorizing the secretary to grant temporary unemployment, requiring the secretary to annually publish certain data and abolishing the employment security interest assessment fund.
- SB 486 Changing the fee charged by the department of commerce for applications for certain economic development programs from a flat fee to a certain percentage of the total economic development incentive program package as determined by the secretary of commerce within a specified percentage range.

Education

- SB 31 Reapportioning the districts of certain members of the Washburn university board of regents who are appointed by the city of Topeka.
- SB 32 Authorizing the Kansas state high school activities association to establish a school classification system based on student attendance and other factors.
- SB 48 Authorizing community college and technical college appointments to the postsecondary technical education authority and establishing the length of membership terms.
- SB 66 Enacting the interstate teacher mobility compact to recognize equivalent teacher licenses across member states.
- SB 82 Requiring schools to establish policies and concussion management teams to prevent and manage concussions within school.
- SB 83 Providing additional student eligibility under the tax credit for low income students scholarship program and increasing the amount of the tax credit for contributions made pursuant to such program.
- SB 84 Including individuals who receive a high school equivalency (HSE) credential in performance-based payments for certain postsecondary educational institutions.
- SB 98 Authorizing medical student and residency loan assistance to encourage the practice of obstetrics and gynecology in medically underserved areas of the state.
- SB 102 Establishing residency criteria for students of technical colleges.
- SB 109 Deeming certain refugees as residents of the state for the purposes of tuition and fees at postsecondary educational institutions.
- SB 122 Removing the sunset for the high-density at-risk student weighting under the Kansas school equity and enhancement act.

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- SB 145 Requiring statutory due process procedures for a school district's non-renewal or termination of a teacher contract.
- SB 167 Requiring certain school district employees to receive training for seizure recognition and related first aid.
- SB 207 Requiring policies for and establishing restrictions on school districts with regard to the use of an individual's pronouns if such pronouns differ from the individual's biological sex.
- SB 226 Authorizing educational agencies to disclose student data for the purpose of conducting research contracted for by an educational agency.
- SB 351 Establishing policy requirements for school safety and security and cardiac emergency response plans and providing grant programs for the implementation of such policies.
- SB 360 Allowing a taxpayer to elect the taxable year in which a subtraction modification for contributions to a 529 program account, ABLE account or first-time home buyer savings account would be applied and authorizing the state treasurer to appoint a 529 program advisory council.
- SB 386 Requiring enrollment under the Kansas school equity and enhancement act to be determined using the current school year or the preceding school year and requiring any district that closed a school building in the preceding school year to use the current year enrollment count.
- SB 387 Providing for the continued enrollment of students who attend a school district of nonresidence pursuant to the school district open enrollment law.
- SB 407 Requiring the state board of education to authorize teaching licenses for individuals who complete an alternative teacher certification program.
- SB 427 Requiring school districts to publicly list the names and email addresses of current school board members, authorizing local school board members to add new items to board meeting discussions, ask questions or engage in discussion with members of the public and access school property, authorizing members of the public to address school boards at board meetings and authorizing payment of annual dues to any not-for-profit organization that provides services to member school districts.
- SB 428 Requiring that each attendance center needs assessment be conducted by the local board of education and include input from board members, teachers, school site councils and school administrators and that board members receive certain state assessment data and identifying allocations of money in the school district budget and budget summary.
- SB 437 Establishing the Kansas education enrichment program to provide educational awards to elementary and secondary school students for qualifying expenses for educational goods and services.
- SB 438 Eliminating the requirement to subtract other aid from the state payment in the AO-K program.
- SB 465 Authorizing school districts to levy an annual levy of up to two mills for the purposes of school building safety, security and compliance with the Americans with disabilities act and including such levy in the capital outlay state aid determination for such school districts.
- SB 469 Establishing the sunflower education equity act to provide education savings accounts for certain students.
- SB 470 Including Wichita technical institute as an eligible postsecondary educational institution in the Kansas promise scholarship act.
- SB 485 Authorizing students attending public schools with low proficiency scores and certain private elementary and secondary school students to participate in the tax credit for low income students scholarship program.

Federal and State Affairs

- SB 34 Expanding the use and availability of rural housing incentive districts.
- SB 35 Increasing the rate of compensation for legislators for service during regular and special sessions and the interim period between regular sessions.
- SB 36 Amending the definition of ancestry in the Kansas act against discrimination to include traits historically associated with ancestry, including hair texture and protective hairstyles.
- SB 37 Expanding the transferability of income, privilege and premium tax credits issued under the Kansas housing investor tax credit act.
- SB 38 Increasing the maximum compensation benefits payable by an employer for permanent total disability suffered by an injured employee.
- SB 39 Directing the capitol preservation committee to develop and approve plans for a mural honoring the 1st Kansas (Colored) Voluntary Infantry regiment.
- SB 65 Authorizing cities and counties to enact local laws to regulate abortion as stringent as or more stringent than state law.
- SB 77 Authorizing the Kansas human rights commission or any city or county to remove an unlawful restrictive covenant by recording a redacted plat or declaration.
- SB 92 Creating a procedure for appointment of delegates to a convention of the states under Article V of the Constitution of the United States and prescribing the duties and responsibilities of such delegates.
- SB 93 Creating the constitution and federalism defense act to establish a joint legislative commission to evaluate the constitutionality of federal mandates.
- SB 95 Permitting a prosecution for childhood sexual abuse to be commenced at any time, permitting victims of childhood sexual abuse to bring a civil action for recovery of damages caused by such abuse at any time and reviving claims against any party for such damages that occurred on or after July 1, 1984.
- SB 99 Establishing the advisory commission on Asian-American Pacific Islander affairs.
- SB 100 Prohibiting ownership in certain real property in this state by foreign individuals and entities.
- SB 107 Providing that family members of deceased crime victims have the right to sit in a designated seating area at or near the prosecution table during court proceedings.
- SB 116 Standardizing firearms safety programs in school districts.
- SB 117 Authorizing the state historical society to convey certain real property to the Shawnee Tribe.
- SB 118 Expanding the duties of the secretary of health and environment when investigating maternal deaths to include promoting continuity of care, helping develop performance measures and establishing an external review committee to study cases and make recommendations to prevent maternal deaths.
- SB 133 Providing for the enforcement of donor-imposed restrictions on philanthropic gifts of endowment funds or property to charitable organizations.
- SB 134 Adding members to the commission on peace officers' standards and training and requiring the new members to be appointed with a preference to increase diversity.
- SB 135 Creating the medical cannabis regulation act to regulate the cultivation, processing, distribution, sale and use of medical cannabis.
- SB 149 Expanding the crime of promoting obscenity to minors to include drag performances.
- SB 156 Repealing statutes that prohibit, limit and otherwise restrict municipal regulation of firearms.
- SB 157 Designating February 15 of each year as Susan B. Anthony Day in the state of Kansas.
- SB 158 Enacting the community defense and human trafficking reduction act to regulate sexually oriented businesses and human trafficking and to impose criminal

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- penalties.
- SB 159 Creating the Kansas rural grocery store development incentive act to provide tax incentives for the development of grocery businesses in rural areas of the state.
- SB 160 Require commercial entities that produce material harmful to minors on the internet to require age verification for access to such internet sites, establishing a civil cause of action against such commercial entities by persons harmed to recover actual and punitive damages, court costs and attorney fees.
- SB 170 Enacting the Kansas assistance animals in housing act, authorizing housing providers to require documentation of the need for an assistance animal and creating the crime of misrepresentation of entitlement to an assistance animal in housing.
- SB 201 Prohibiting the expenditure of state moneys for the production or performance of drag shows for which minors are the primary audience.
- SB 202 Enacting the Kansas ranked-choice voting act to establish the use of the ranked-choice method of voting for elections in this state.
- SB 208 Restricting the number of remote ballot boxes that may be used in each county and requiring certain monitoring conditions for such use.
- SB 209 Requiring all advance voting ballots be returned by 7 p.m. on election day.
- SB 210 Allowing nonpartisan candidates for office to include such candidate's political party affiliation on the ballot with the candidate's name.
- SB 214 Prohibiting public utilities from recovering any dues, donations or contributions to any charitable or social organization or entity through customer rates.
- SB 218 Requiring county election officers to assign registered voters whose residence has no corresponding mailing address to the voting precinct where the residence of such voter is located.
- SB 219 Designating certain healthcare providers as being ineligible to purchase professional liability insurance from the healthcare stabilization fund.
- SB 220 Establishing uniform requirements for all advance voting ballot envelopes.
- SB 221 Requiring affidavits of write-in candidacy for certain locally elected offices and providing requirements for counting write-in votes on ballots.
- SB 222 Removing liability protections from online platforms and requiring certain wireless communication devices to have a default setting notifying parents of application downloads.
- SB 223 Changing the candidate filing deadline and the primary election date to two months earlier than current law, increasing campaign contribution limits and modifying restrictions on campaign activities during legislative sessions.
- SB 224 Enacting the Kansas protection of pensions and businesses against ideological interference act, relating to ideological boycotts involving environmental, social or governance standards, requiring KPERs to divest from and prohibiting state contracts or the deposit of state moneys with entities engaged in such boycotts as determined by the state treasurer and prohibiting discriminatory practices in the financial services industry based on such boycotts.
- SB 233 Creating a civil cause of action against a physician who performs childhood gender reassignment service and requiring revocation of a physician's license who performs childhood gender reassignment service.
- SB 237 Requiring a criminal conviction for civil asset forfeiture and proof beyond a reasonable doubt that property is subject to forfeiture, remitting proceeds to the state general fund and requiring law enforcement agencies to make forfeiture reports more frequently.
- SB 245 Enacting the commercial financing disclosure act, requiring certain disclosures when making commercial financing product transactions, requiring registration with state bank commissioner, obtaining a surety bond, providing for civil penalties and rules and regulations by the commissioner and authorizing

- enforcement of such act by the attorney general.
- SB 249 Providing for the filling of a vacancy in the officer of state treasurer and commissioner of insurance by statewide party delegate convention.
- SB 250 Removing state department fees for concealed-carry licenses.
- SB 251 Providing sampling rules for alcoholic liquor and cereal malt beverages for spirits distributors, wine distributors and beer distributors in regard to the amount of products used for samples for distributors, retailers and club and drinking establishment licensees.
- SB 253 Authorizing home delivery by licensed retailers, licensed clubs and drinking establishments and restaurants and third-party delivery services.
- SB 254 Providing for the filling of a vacancy in the office of United States senator by a statewide party delegate convention.
- SB 255 Requiring school districts to provide separate accommodations for students of each biological sex on overnight school sponsored trips.
- SB 257 Requiring that closed captioning be enabled on televisions and television receivers in public areas of places of public accommodation.
- SB 258 Enacting the act against abusive access litigation to create a civil action for determining whether litigation that alleges any access violation under the Americans with disabilities act or similar law constitutes abusive litigation and authorize penalties for such abusive litigation.
- SB 259 Prohibiting the use of ballot copies for purposes of any audit or recount of an election, setting a 7:00 p.m. deadline for receipt of advance mail ballots, requiring the use of paper ballots and hand counting, establishing legislative oversight, requiring that certain ballot records and all election records be publicly available and mandating use of a uniform paper for ballot printing.
- SB 260 Prohibiting remote ballot boxes, providing for reporting and publication of voting results and public access to voting records and materials, limiting advance voting provisions and requiring receipt of advance voting ballots by election day, limiting the size of precincts, making the general election a state holiday, providing that the sheriff has sole jurisdiction for and shall provide security at voting places, establishing the authority of the legislature over elections with preeminence over rules and regulations of the secretary of state and federal election law and making certain election crimes felonies.
- SB 261 Authorizing appeals from certain decisions related to a citizen-initiated grand jury.
- SB 262 Requiring voting and vote tabulation by hand and prohibiting electronic poll books or electronic or electromechanical voting or tabulation systems after January 1, 2024, mandating legislative approval of certain election matters and providing for the reporting of vote counts to the secretary of state and publication of the vote counts by the secretary.
- SB 268 Eliminating the statutory qualifications listed for the chief inspector for boiler safety appointed by the state fire marshal.
- SB 269 Exempting charitable raffle prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act.
- SB 270 Including acts that occur in the course of the taking of property in the crimes of robbery and aggravated robbery.
- SB 271 Limiting the length of trains to 8,500 feet on any main line or branch line and providing for minimum distance for storage of rolling stock.
- SB 276 Specifying the delta-9 tetrahydrocannabinol concentration amount for final hemp products and allowing certain hemp products to be manufactured, marketed, sold or distributed.
- SB 278 Requiring public utilities to report information regarding customer assistance programs, account delinquencies and disconnections.

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- SB 279 Granting law enforcement officials access to the prescription monitoring program database without a warrant and replacing the member of the program advisory committee representing the Kansas bureau of investigation with the attorney general or the attorney general's designee.
- SB 280 Modifying self-defense and use of force provisions related to the initial aggressor standard, changing immunity from criminal prosecution and civil action to an affirmative defense and requiring reporting and publication of certain data related to use of force cases by the Kansas bureau of investigation and the judicial administrator.
- SB 281 Creating the position of dementia services coordinator within the department of aging and disability services.
- SB 282 Establishing child care licensing requirements relating to license capacity and staff-to-child ratios, eliminating certain license fees and training requirements, permitting a 16 year-old staff member to staff a unit with children at least 12 months old without supervision, creating a process for day care facility licensees to apply for temporary waiver of certain statutory requirements and authorizing the secretary to develop and operate pilot programs to increase day care facility availability or capacity.
- SB 283 Prohibiting conveyance of certain real property in this state to foreign adversaries.
- SB 285 Eliminating the senate confirmation requirement from the appointment of national guard officers.
- SB 286 Prohibiting abortion procedures except when necessary to save the life of the pregnant woman and providing a private cause of action for civil enforcement of such prohibition.
- SB 287 Expanding the Kansas silver alert plan to include persons 18 years of age or older who have dementia, a developmental disability or a cognitive impairment.
- SB 288 Authorizing certain individuals with revoked driver's licenses to be eligible for restricted driving privileges.
- SB 289 Permitting functional incapacitation release and terminal medical condition release for persons sentenced to imprisonment for an off-grid offense and extending terminal medical condition release to inmates in the custody of the secretary of corrections with a condition likely to cause death within 180 days.
- SB 290 Requiring a presidential preference primary election to be held on the first Tuesday following the first Monday in May every fourth year and changing the primary election date for all primary elections to the first Tuesday following the first Monday in May.
- SB 291 Enacting the Kansas public investments and contracts protection act concerning environmental, social and governance (ESG) criteria, prohibiting the state and political subdivisions from giving preferential treatment to or discriminating against companies based on such ESG criteria in procuring or letting contracts, requiring KPERS fiduciaries to act solely in the financial interest of the participants and beneficiaries of the system, restricting state agencies from adopting ESG criteria or requiring any person or business to operate in accordance with such criteria, directing registered investment advisers to provide ESG criteria notice to clients and providing for enforcement of such act by the attorney general.
- SB 292 Updating statutes related to the Kansas army and air national guard, providing for the appointment of a state judge advocate and providing for the adjustment of death and disability benefits.
- SB 296 Prohibiting persons in charge of a building from requiring off-duty police officers carrying a concealed handgun from providing certain personal information or wearing anything identifying such persons as a law enforcement officer or as being armed.

- SB 297 Revising the definition of "abortion" to clarify procedures that are excluded from such definition.
- SB 298 Providing for child support orders for unborn children with a detectable heartbeat.
- SB 299 Providing a Kansas exemption for state income tax purposes for an unborn child with a detectable heartbeat.
- SB 302 Suspending fidfin transactions, custodial services and trust business of technology-enabled fiduciary financial institutions until the legislature expressly consents to and approves such activities by an act of the legislature and requiring the legislature to conduct a forensic audit of technology-enabled fiduciary financial institutions.
- SB 303 Establishing the Kansas legal tender act and providing for an income tax subtraction modification for sales of specie.
- SB 304 Authorizing the state board of education to establish a new unified school district, if necessary, for the attachment of territory of a school district disorganized via voter petition and providing for administrative and judicial review of resolutions to permanently close a public school building.
- SB 305 Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists.
- SB 310 Creating the medical cannabis regulation act to regulate the cultivation, processing, distribution, sale and use of medical cannabis.
- SB 314 Prohibiting the secretary of health and environment from requiring COVID-19 vaccination for children attending a child care facility or school.
- SB 315 Requiring child care facilities, elementary, secondary and postsecondary educational institutions and employers to grant exemptions from vaccine requirements without inquiring into the sincerity of the request and repealing the meningitis vaccine requirement to live in student housing.
- SB 317 Permitting a prosecution for childhood sexual abuse to be commenced at any time, extending the time to file civil actions for recovery of damages caused by childhood sexual abuse and providing exceptions in the Kansas tort claims act for claims arising from such abuse.
- SB 321 Providing for a presidential preference primary election on March 19, 2024, and establishing voter registration and voting procedures for such election.
- SB 322 Authorizing any gaming compact regarding sports wagering to include provisions governing sports wagering outside the boundaries of Indian lands.
- SB 333 Removing the expiration provision for the state use law committee.
- SB 341 Authorizing certain individuals with revoked driver's licenses to be eligible for restricted driving privileges and permitting such individuals to drive to and from dropping off or picking up children from school or child care.
- SB 342 Providing for the Sedgwick county zoo distinctive license plate.
- SB 343 Prohibiting the mailing of advance voting ballot applications to voters unless by a county election official pursuant to a request by the voter.
- SB 344 Requiring voter verification of identity when returning an advance voting ballot.
- SB 345 Enacting the commercial financing disclosure act.
- SB 346 Restricting who can propose rezoning amendments to city and county zoning regulations.
- SB 358 Prohibiting school districts and local libraries from prohibiting, banning or restricting books or other media unless certain requirements are met.
- SB 365 Requiring all advance voting ballots be returned by 7:00 p.m. on election day.
- SB 366 Requiring that county election officers receive a request for an application for an advance voting ballot from a voter before mailing such application to such voter.
- SB 367 Prohibiting the use of funds provided by the United States government for the conduct of elections and election-related activities unless approved by the legislature.

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- SB 368 Prohibiting the use of any form of ranked-choice voting method for the conduct of elections.
- SB 369 Requiring a candidate's non-government issued email address be provided with declarations of intent, nomination petitions or nomination certifications for national, state and local offices.
- SB 370 Requiring legislative approval of any national heritage area or national historic trail in the state of Kansas and prohibiting state funding of any national heritage area or national historic trail unless such funding is first approved by the legislature of the state of Kansas.
- SB 371 Expanding the Kansas silver alert plan to provide public notice of missing persons 18 years of age or older who have an intellectual disability.
- SB 372 Enacting the civil liability for doxing act to prohibit intentionally publishing another person's personally identifiable information without the consent of the person whose information is published under certain circumstances and authorize a civil action for violations of the act to recover damages and obtain injunctive relief.
- SB 373 Prohibiting the use of public moneys for lobbying activities.
- SB 374 Allowing a voter to declare or change such voter's political party or voter affiliation on the day of a primary election.
- SB 375 Prohibiting the use of generative artificial intelligence to create false representations of candidates in election campaign media or of state officials.
- SB 401 Requiring critical thinking be integrated into elementary and secondary instruction.
- SB 408 Changing driving training requirements to allow driving school instructors to hold a valid driver's license from any state.
- SB 409 Prohibiting any county or city legislation that would modify the established classes of individuals protected from discrimination under the Kansas act against discrimination.
- SB 424 Providing for geographic positions or locations of points within the state of Kansas under the Kansas plane coordinate system act.
- SB 425 Providing for child support orders for unborn children from the date of conception.
- SB 435 Providing a sales tax exemption for period products, diapers and incontinence products.
- SB 445 Establishing minimum training requirements for law enforcement and emergency medical services personnel on interacting with individuals with dementia.
- SB 446 Prohibiting acquisitions of ownership interests in certain Kansas real property by foreign individuals and entities unless authorized by the state land council and establishing the state land council.
- SB 447 Directing the state treasurer to establish a mortgage insurance program for certain individuals and establishing the homes for every local protector, educator and responder act of Kansas.
- SB 471 Prohibiting a state agency, city or county from restricting the sale or use of motor vehicles based on the energy source used for the vehicles; allowing a state agency, city and county to have their own purchase policies for motor vehicles.
- SB 472 Creating the crime of unlawful sexual communication and providing criminal penalties therefor.
- SB 474 Eliminating the administrative ordinance restriction in the city initiative statute.
- SB 475 Eliminating school district open enrollment requirements and authorizing school districts to determine nonresident student enrollment.
- SB 487 Authorizing counties to contract with other counties to share 911 public safety answering point services and authorizing the distribution of 911 fee moneys to counties for such purposes.

- SB 497 Establishing the Pike reservoir project district act to provide for a lake and related commercial and residential development in Bourbon county and authorizing a governing board and sales and property tax increment financing for such project.
- SB 502 Terminating the KPERS 3 cash balance plan and transferring the members of such plan to the KPERS 2 plan.
- SB 503 Increasing the criminal penalties for knowingly and maliciously abandoning any animal in any place without making provisions for the proper care of the animal.
- SB 504 Prohibiting the use of any prone restraint on a juvenile who is in custody at a juvenile detention facility or juvenile correctional facility or being assessed as part of the juvenile intake and assessment system.
- SB 506 Invalidating restrictive covenants that limits or prohibits the installation of solar panels and allowing the adoption of reasonable rules concerning solar panels.
- SB 508 Permitting homeless veterans to use alternative forms of proof of identity and residency when applying for nondriver identification cards and eliminating fees for homeless veterans to obtain birth certificates and nondriver identification cards.
- SB 510 Requiring cities to reconnect property to the city sewer system if the property owner requests such reconnection and the disconnection was not a result of failure to pay sewer fees.
- SB 511 Permitting beer and hard cider sales by microbreweries to retailers, public venues, clubs, drinking establishments, holders of temporary permits and caterers and allowing such sales at special events to consumers.
- SB 512 Prohibiting insurance companies from using environmental, social and governance criteria in the process of writing contracts of insurance, indemnity or suretyship, authorizing the attorney general or the county attorney or district attorney where a violation occurred to enforce such prohibition and providing a civil penalty for violations thereof.
- SB 513 Enacting the Kansas specie legal tender act and the Kansas bullion depository act, authorizing the state treasurer to approve electronic currencies backed by specie legal tender and establish, administer or contract for the administration of bullion depositories and allowing for state moneys to be deposited in such bullion depositories and invested in specie legal tender.
- SB 517 Prohibiting the closure of an electric generation facility without a reliable and readily dispatchable replacement and notification of such closure.
- SB 523 Clarifying the eligibility requirements to obtain a license to carry a concealed handgun under the personal and family protection act.
- SB 525 Creating the protection against deep fakes act to provide a cause of action for damages arising from the use of generative artificial intelligence to create an image or likeness of another person without such person's consent for use in obscene material.
- SB 526 Creating the crime of aggravated sexual extortion, providing criminal penalties for violations thereof and adding making a demand for money or other thing of value to the elements of sexual extortion.
- SB 527 Creating the crime of coercion to obtain an abortion and providing enhanced criminal penalties for offenses committed with the intent to coerce a woman to obtain an abortion.
- SB 528 Establishing the Kansas ultrasound act, requiring that an obstetric ultrasound be performed on a woman prior to an abortion, permitting a woman to avert her eyes from the ultrasound images, establishing civil and criminal penalties and providing an emergency exception to requirements of the act.
- SB 530 Providing that residential housing constructed through loans or grants from the state housing trust fund shall meet certain energy conservation standards.
- SB 531 Creating a civil cause of action against schools that give or make available

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- harmful material to minors and removing the affirmative defense to promotion to minors of material harmful to minors for public and nonpublic schools.
- SB 533 Limiting the use of past evictions and rental arrears to deny applicants from renting a home.
- SB 534 Authorizing the secretary of corrections to use hypoxia for the purpose of carrying out a sentence of death and requiring the district court to issue a warrant to the secretary of corrections to carry out a sentence of death.
- SB 535 Exempting certain gaming suppliers from the certification requirement of the Kansas expanded lottery act when such suppliers do not contract with the state or the lottery gaming facility manager.
- SB 538 Establishing a commencement date for candidate nomination filings for municipal elections.
- SB 541 Creating the regulatory relief division within the office of the attorney general and establishing the general regulatory sandbox program to waive or suspend rules and regulations for program participants.
- SB 547 Amending the Kansas pet animal act to require the Kansas department of agriculture to maintain records of inspections for not less than five years and removing the requirement that the commissioner only apply federal rules and regulations to United States department of agriculture licensed animal distributors and animal breeders.
- SB 548 Requiring a concealed carry license to lawfully carry a concealed handgun and exempting colleges and universities from the public buildings requirements under the personal and family protection act.
- SB 549 Requiring criminal history record checks for all sales of firearms and providing criminal penalties for violations thereof.
- SB 550 Prohibiting persons under 21 years of age from purchasing and possessing semiautomatic rifles with high capacity ammunition magazines.
- SB 551 Creating the crime of unlawful storage of a firearm and providing criminal penalties for violations thereof.
- SB 553 Permitting a plan sponsor to authorize electronic delivery as the standard method of delivery of all plan documents and health insurance identification cards made to health benefit plan covered persons covered by a health benefit plan.
- SB 554 Providing that a fertilized human ovum or embryo existing outside the uterus of a human body shall not be considered an unborn child or human being.
- SB 555 Creating the medical cannabis pilot program act to establish the medical cannabis pilot program for limited cultivation, processing and dispensing of medical cannabis and medical cannabis products.
- SB 556 Expanding the Kansas silver alert plan to provide public notice of missing persons 18 years of age or older who have an intellectual disability.
- SB 557 Authorizing professional employees employed by a board of education to cease the withholding of professional employees' organization dues from their wages upon request.
- SB 558 Creating the Kansas medical cannabis act to authorize the cultivation, processing, distribution, sale and use of medical cannabis and medical cannabis products and the Kansas cannabidiol regulation act to regulate the testing and retail sale of cannabidiol products.
- SB 559 Preserving child labor protections by requiring a legislative review process when considering bills proposing to reduce or eliminate child labor protections, providing that the joint committee on administrative rules and regulations review such bills and that the secretary of labor provide a report to the legislature to assist the legislature's consideration of such bills.

Financial Institutions and Insurance

- SB 14 Updating the version of risk-based capital instructions in effect.
- SB 15 Removing the requirement of a documented written demand for premiums as part of a prima facie case against agents or brokers who fail to pay premiums due.
- SB 16 Discontinuing certain exemptions from the pharmacy benefits manager act.
- SB 17 Modifying the requirement to report individuals who solicit memberships on behalf of prepaid service plans from semi-annually to annually and upon application for registration and discontinuing payment of annual registration fees for such plans.
- SB 18 Adding certain legal entities to the definition of "person" thereby making such entities subject to penalties for violations of insurance law.
- SB 19 Requiring certain premium taxes to be paid 90 days after each calendar year and basing such premium taxes upon the gross premiums collected for the previous calendar year.
- SB 24 Changing the required number of employees contained in the definitions of "large employer" and "small employer" for purposes of coverage for autism spectrum disorder.
- SB 25 Decreasing the premium tax rate imposed on surplus lines insurance from 6% to 3%.
- SB 26 Specifying certain requirements necessary to demonstrate fiscal soundness for health maintenance organizations and medicare provider organizations applying for certificates of authority.
- SB 27 Authorizing the commissioner of insurance to set the amount of certain fees.
- SB 28 Discontinuing payments to certain group-funded insurance pools, refunding existing balances thereof and abolishing such funds and establishing the group-funded pools refund fund.
- SB 44 Enacting the Kansas financial institutions information security act.
- SB 51 Authorizing the state bank commissioner to accept state and national criminal history record checks from private entities.
- SB 62 Enacting the protect vulnerable adults from financial exploitation act, requiring reporting of instances of suspected financial exploitation under certain circumstances and providing civil and administrative immunity to individuals who make such reports.
- SB 76 Providing for an exemption from continuing education licensure requirements for certain insurance producers.
- SB 85 Enacting the Kansas travel insurance act.
- SB 104 Allowing a surcharge when purchases are made with a credit or debit card.
- SB 119 Updating certain obsolete statutory references in chapter 40 of the Kansas Statutes Annotated.
- SB 338 Changing certain reporting requirements of group-funded liability and workers compensation pools.
- SB 339 Updating the version of risk-based capital instructions in effect.
- SB 340 Removing automobile club from the definition of person for purposes of enforcing penalties for violations of insurance law.
- SB 356 Requiring that per diem amounts, expenses and funding for examinations be reasonable and establishing a tiered fee structure for examinations of insurance companies and societies based on gross premiums.
- SB 388 Increasing the amount of retirant compensation subject to the statutory employer contribution rate to the first \$40,000 earned by a retirant in a calendar year.
- SB 396 Reducing the waiting period for a KPERS retirant to return to work for a participating employer during a period beginning July 1, 2024, and ending July 1, 2029.
- SB 397 Eliminating annual controlled business reporting requirements placed on title

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- agents and insurers.
- SB 398 Authorizing the commissioner of insurance to set the amount of certain fees and requiring the publication of such fees in the Kansas register.
 - SB 405 Holding a control person liable for violations of the Kansas uniform securities act by an individual subject to discipline under the act unless the control person was unaware and could not reasonably have known of the violations of such individual.
 - SB 406 Enacting the Kansas money transmission act.
 - SB 423 Reducing the number of appointed board members on certain insurance-related governing boards and the frequency of meetings of the the committee on surety bonds and insurance.
 - SB 495 Modifying certain terms, definitions, deadlines and provisions contained in the uniform consumer credit code and transferring certain mortgage provisions from the uniform consumer credit code to the Kansas mortgage business act.

Judiciary

- SB 72 Adding an exception to the hearsay rule to allow admission of statements made to a translator without the testimony of the translator.
- SB 73 Adding domestic battery and violation of a protection order to the crimes that a person can have the intent to commit when committing burglary or aggravated burglary.
- SB 74 Providing for joint liability for costs and sanctions in third-party funded litigation, requiring certain discovery disclosures and requiring payment of certain costs for nonparty subpoenas.
- SB 75 Changing the legal rate of interest from a fixed rate to a variable rate based on the statutory rate provided for interest on judgments.
- SB 115 Changing the lists of persons who are required to be given notice of the hearing on a petition for an independent or stepparent, private agency or public agency adoption.
- SB 174 Increasing criminal penalties for the crime of interference with law enforcement when the violation involves fleeing from a law enforcement officer.
- SB 188 Removing an affirmative defense for public, private and parochial schools from the crime of promotion to minors of material harmful to minors.
- SB 189 Authorizing state and local law enforcement agencies to receive files and information about an applicant from other agencies that received an application for employment from the applicant or conducted an employment background investigation on the applicant.
- SB 190 Requiring a waiver of extradition proceedings as a condition of release prior to trial for any person charged with a felony.
- SB 191 Establishing requirements for the involuntary discharge or transfer of a resident in an adult residential care facility, the right to appeal such discharge or transfer and a process for such appeal.
- SB 192 Providing for payment plans and waiver of fines for traffic fines and court costs, expanding the eligibility for restricted driving privileges, removing and delaying payment for certain fees and eliminating reinstatement of certain fees.
- SB 193 Enacting the reduce armed violence act to increase the criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms.
- SB 216 Adding possession or using a firearm during the commission of certain drug crimes to the crime of criminal use of weapons and creating a special sentencing rule of presumptive imprisonment for violations thereof.
- SB 217 Including the conduct of utilizing any electronic tracking system or acquiring tracking information to determine the targeted person's location, movement or

- travel patterns in the crime of stalking when done as part of an unlawful course of conduct and authorizing orders to prohibit such conduct under the Kansas family law code, the revised Kansas code for care of children, the protection from abuse act and the protection from stalking, sexual assault or human trafficking act.
- SB 228 Modernizing statutes concerning county jails, removing the requirement that every county shall have a jail, modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails to keep prisoners and requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail.
- SB 232 Establishing the office of the child advocate as an independent state agency.
- SB 238 Increasing criminal penalties on drug-related crimes when the drug is fentanyl and creating special sentencing rules for mandatory imprisonment and additional terms of imprisonment for drug-related crimes when the drug is fentanyl or is attractive to minors because of its appearance or packaging.
- SB 239 Providing that certain witnesses shall have the right to be accompanied by a support person during testimony and may be accompanied by a certified critical incident response therapy K9 team.
- SB 240 Amending the crime of aggravated endangering a child to increase the criminal penalties in certain environments where any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture fentanyl-related controlled substances.
- SB 241 Requiring certain records and files to be automatically expunged from a juvenile's record.
- SB 242 Enacting the cold case homicide victims' families' rights act to provide for a system for reviewing the case files of cold case homicides upon written application by certain persons.
- SB 243 Providing requirements and procedures for settlement agreements involving a minor.
- SB 244 Authorizing the attorney general to prosecute any crime that is part of an alleged course of criminal conduct that occurred in two or more counties.
- SB 379 Providing a longer time for notice to creditors by publication when a petition for administration or probate of a will is filed, changing the process for transferring personal property by affidavit in small estates and modifying time requirements for notice by publication related to sales at public auction in the Kansas probate code.
- SB 380 Clarifying a special sentencing rule applicable to violations of criminal discharge of a firearm when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm.
- SB 381 Authorizing the board of county commissioners of any county that is not the most populous county in a multiple-county judicial district to appoint a coroner to serve as the district coroner for the county at the expense of the county.
- SB 392 Granting the medicaid inspector general access to the prescription monitoring program database without a warrant and replacing the member of the program advisory committee representing the Kansas bureau of investigation with a member appointed by the attorney general's office.
- SB 393 Requiring automated expungement of certain records from a person's criminal record to seal such records from public view and limit disclosure thereof.
- SB 394 Requiring the use of age-verification technology to permit access to internet websites containing material that is harmful to minors.
- SB 412 Modifying criminal sentencing rules applicable in multiple conviction cases where consecutive sentences may be imposed by the sentencing judge and the sentence for the primary crime is a nonprison sentence.
- SB 413 Specifying criminal penalties for unlawful distribution of fentanyl-related

- controlled substances when distributed by weight or dosage unit.
- SB 414 Increasing the criminal penalties for unlawful distribution of fentanyl-related controlled substances.
- SB 415 Creating the crime of organized retail crime, providing criminal penalties for violation thereof, increasing the criminal penalties for theft of certain property, including organized retail crime in the definition of racketeering activity under the Kansas racketeer influenced and corrupt organization act and authorizing the attorney general to prosecute crimes that are part of an alleged course of criminal conduct that occurred in two or more counties.
- SB 416 Prohibiting fines and fees from being assessed against a juvenile or a juvenile's parent, guardian or custodian in a case pursuant to the revised Kansas juvenile justice code.
- SB 418 Requiring the clerk of the appellate courts to publish monthly a list of cases of the supreme court and court of appeals in which a decision has not been entered and filed within six months of submission and a list of cases in which a petition for review has not been granted or denied within six months of submission.
- SB 419 Amending the crime of aggravated endangering a child to increase the criminal penalties when bodily harm to the child results and when a child is in certain environments associated with fentanyl-related controlled substances.
- SB 420 Eliminating the element of concealment from the crime of breach of privacy related to installing or using a device to photograph or record another identifiable person under or through the clothing being worn by that other person or another identifiable person who is nude or in a state of undress.
- SB 439 Prohibiting the use of restraints during hearings under the revised Kansas juvenile justice code unless restraints are deemed appropriate by the court.
- SB 440 Prohibiting suspension of a person's driving privileges or driver's license due to nonpayment of fines or court costs from traffic citations.
- SB 441 Enacting the fairness in condemnation act to require the condemning authority to provide the property owner notice of a planned condemnation proceeding, an offer for purchase and a court review of compliance with this act.
- SB 442 Prohibiting assignment of persons found not guilty by reason of mental disease or defect to supervision by court services officers.
- SB 443 Requiring landowners whose land is taken by eminent domain for electric transmission lines to be compensated at not less than fair market value multiplied by 150%.
- SB 444 Providing that the attorney members of the board of trustees of a county law library in certain counties shall be appointed by the chief judge of the judicial district and allowing such boards to authorize the chief judge to use certain fees for the purpose of facilitating and enhancing functions of the district court of the county.
- SB 448 Establishing procedures in the Kansas code of procedure for municipal courts related to determination of an accused person's competency to stand trial and requiring the secretary for aging and disability services to reimburse counties for the costs of keeping persons in the custody of a county jail awaiting examination, evaluation or treatment.
- SB 449 Expanding the definition of healthcare provider for individuals providing care at the scene of an emergency or accident.
- SB 458 Specifying that certain drug offenses do not give rise to forfeiture under the Kansas standard asset seizure and forfeiture act, requiring courts to make a finding that forfeiture is not excessive, restricting actions prior to commencement of forfeiture proceedings, requiring probable cause affidavit filing and review to commence proceedings, increasing the burden of proof required to forfeit property to clear and convincing evidence, providing persons involved in forfeiture

- proceedings the ability to request a jury trial, authorizing courts to order payment of attorney fees and costs for certain claimants and requiring the Kansas bureau of investigation to submit forfeiture fund financial reports to the legislature.
- SB 463 Changing the membership of the Kansas judicial council from four resident lawyers to one resident lawyer from each congressional district.
- SB 473 Authorizing a notice to appear that meets certain requirements to serve as a lawful complaint under the Kansas code of criminal procedure.
- SB 483 Establishing the crime of interference with a security camera in a correctional facility.
- SB 491 Standardizing criminal history record check fingerprinting language and defining who may be fingerprinted for a criminal history record check.
- SB 492 Repealing the prohibition on transportation of alcoholic beverages in opened containers and on drinking or consuming alcoholic liquor inside vehicles while on the public streets, alleys, roads or highways.
- SB 493 Requiring ignition interlock device manufacturers to pay fees to the state for the administration of the ignition interlock program.
- SB 500 Providing restricted driver's privileges for certain individuals that fail to comply with a citation, authorizing certain individuals with revoked driver's licenses to be eligible for restricted driving privileges and permitting such individuals to drive to and from dropping off or picking up children from school or child care.

Local Government

- SB 86 Requiring local governmental officials to disclose substantial interests in the construction and operation of a wind or solar energy conversion system and to abstain from all local governmental actions relating to such matters.
- SB 162 Creating the Riley county unincorporated area nuisance abatement act to establish procedures for the removal and abatement of nuisances in the unincorporated areas of the county and the assessment of the costs for such abatement.
- SB 163 Creating the Dwayne Peaslee technical training center district act to authorize the establishment of the Dwayne Peaslee technical training center district in Douglas county.
- SB 362 Repealing the expiration provisions of the Sedgwick county urban area nuisance abatement act.
- SB 363 Amending statutes regulating the practice of barbering regarding licensure, examination and fees.
- SB 383 Authorizing the board of directors for a drainage district to hold a meeting in executive session in accordance with the open meetings act.
- SB 384 Allowing ambulances in rural communities to operate with only the minimum personnel required by state law.

Public Health and Welfare

- SB 43 Making and concerning appropriations for the university of Kansas medical center for fiscal years 2023, 2024 and 2025 for conducting certain clinical trials at the midwest stem cell therapy center.
- SB 103 Updating certain provisions of the Kansas dental practices act relating to dentist information requested by patients, in-person practice requirements in dental office using licensee's name, unprofessional conduct and patient complaints.
- SB 111 Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists.
- SB 112 Amending the scope of practice for registered nurse anesthetists to allow independent practice within the scope of the licensee's education and qualifications.
- SB 113 Allowing naturopathic doctors to engage in the corporate practice of medicine.

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- SB 121 Broadening the scope of practice of naturopathic doctors and changing certain provisions pertaining to the licensure and regulation of naturopathic doctors.
- SB 148 Enacting the ensuring transparency in prior authorization act to impose requirements and limitations on the use of prior authorization in healthcare.
- SB 161 Imposing certain health insurance coverage requirements for screening and diagnostic examinations for breast cancer.
- SB 173 Authorizing the over-the-counter purchase of ivermectin tablets and hydroxychloroquine tablets.
- SB 175 Prohibiting abortion procedures and creating the crimes of unlawful performance of an abortion and unlawful destruction of a fertilized embryo.
- SB 176 Increasing the membership of the behavioral sciences regulatory board, decreasing the years of practice required for reciprocity licensure of certain professions, extending the license period for temporary licenses, establishing new license categories, providing additional continuing education requirements and requiring that clinical social work supervisors be approved by the board.
- SB 180 Establishing the women's bill of rights to provide a meaning of biological sex for purposes of statutory construction.
- SB 181 Authorizing establishment of city or county child death review boards and permitting disclosure of records and information related to child deaths.
- SB 234 Prohibiting governmental entities from sharing or transmitting social care information into a closed loop referral system.
- SB 235 Expanding limitations to third-party access to provider network contracts and discounts unless certain criteria are met and prohibitions on payment method restrictions and limitations on certain transaction fees from dental services to all healthcare services.
- SB 236 Requiring drug manufacturers to provide pricing under the federal 340B drug pricing program to pharmacies that enter into contractual agreements with entities covered under the 340B program and prohibiting pharmacy benefits managers from denying patients the freedom to use the pharmacy and healthcare provider of such patient's choice.
- SB 352 Enacting the John D. Springer patient's bill of rights to require hospitals to allow in-person visitation, adopt visitation policies and procedures and creating a civil cause of action for violation of such rights.
- SB 353 Creating a civil cause of action against a physician who performs childhood gender reassignment service and requiring revocation of a physician's license who performs childhood gender reassignment service.
- SB 354 Designating facilities where elective abortions are performed as being ineligible to purchase professional liability insurance from the healthcare stabilization fund.
- SB 390 Enacting the conscientious right to refuse act to prohibit discrimination against individuals to refuse medical care and creating a civil cause of action based on such discrimination; repealing the authority of the secretary of health and environment to quarantine individuals and impose associated penalties.
- SB 391 Enacting the constitutional right to health freedom act to regulate the activities of the secretary of health and environment related to public health functions; repealing statutes relating to the secretary's authority to quarantine individuals and impose associated penalties.
- SB 404 Permitting the use of expedited partner therapy to treat a sexually transmitted disease.
- SB 433 Clarifying practice privileges of institutional license holders.
- SB 434 Exempting the practice of hair removal by sugaring from the definition of cosmetology.
- SB 450 Establishing the Kansas Alzheimer's disease advisory council.
- SB 460 Requiring the secretary of health and environment to adopt anaphylaxis

- prevention and response policies for schools and day care facilities that set forth guidelines and procedures to prevent and respond to anaphylaxis.
- SB 461 Creating the laser hair removal act to restrict the performance of laser hair removal to certain medical professionals.
- SB 488 Expanding the scope of the inspector general to audit and investigate all state cash, food or health assistance programs and granting the inspector general the power to subpoena, administer oaths and execute search warrants thereto.
- SB 489 Directing the department of corrections to establish a correctional center nursery for incarcerated expectant mothers and their child to allow certain expectant mothers to care and bond with their child for up to 36 months while incarcerated.
- SB 490 Updating certain provisions of the optometry law relating to scope of practice, definitions and credentialing requirements.
- SB 496 Expanding the scope of practice of naturopathic doctors, specifying continuing education requirements, increasing the required amount of professional liability insurance and modifying certain provisions relating to the licensure and regulations of naturopathic doctors.
- SB 499 Establishing the prevention of maternal mortality grant program fund within the department of health and environment, providing for competitive grants to fund programs for the prevention of maternal mortality and severe maternal morbidity, establishing the prevention of maternal mortality grant program fund and making transfers to such fund.

Transportation

- SB 90 Increasing certain registration and title fees on vehicles for services provided by county treasurers and the division of vehicles, decreasing certain fees related to administrative costs and modifying the disposition of such fees and eliminating the division of vehicles modernization surcharge.
- SB 106 Prohibiting the manufacture, importation, distribution, sale, offer for sale, installation or reinstallation of a counterfeit supplemental restraint system component or nonfunctional airbag and providing for criminal penalties for violation thereof.
- SB 142 Requiring drivers to proceed with due caution when passing stationary vehicles displaying hazard warning lights and providing a penalty for violation thereof.
- SB 143 Allowing for the use of ground effect lighting on motor vehicles.
- SB 334 Designating the Abilene & Smoky Valley Railroad as the official state heritage railroad.
- SB 335 Increasing penalties and creating a crime for injuring or causing death of certain authorized emergency vehicle operators for unlawful passing of stationary authorized emergency vehicle.
- SB 337 Designating the Atchison, Topeka and Santa Fe #3415 as the official state steam locomotive.
- SB 357 Designating a portion of United States highway 81 as the Merle Miller memorial highway.
- SB 399 Requiring vehicle dealers and salvage vehicle dealers to file monthly reports by the 25th day of the month.
- SB 400 Providing for the sporting Kansas City distinctive license plate.
- SB 402 Prohibiting crew size requirements for class II and class III railroads.
- SB 426 Creating a crime for injuring or causing death of certain authorized emergency vehicle operators and establishing penalties therefor and increasing penalties for unlawful passing of stationary authorized emergency vehicle.
- SB 459 Authorizing the director of vehicles to adopt rules and regulations for participation in the federal motor carriers safety administration's drug and alcohol clearinghouse and allowing for the disqualification of commercial vehicle driving

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privileges when a driver has violated or is noncompliance with the requirements of the clearinghouse.

- SB 462 Authorizing the director of vehicles to waive the knowledge and skills test for driving a commercial vehicle for an applicant that provides evidence that such applicant qualifies for the military even exchange program for commercial driver's licenses.
- SB 476 Creating a crime for operating a motor vehicle at a speed of 100 miles per hour or more and providing a penalty therefor.
- SB 477 Providing for digital proof of driver's license and digital proof of identification card and regulating the use thereof.

Utilities

- SB 46 Requiring existing wind energy conversion systems to install light-mitigating technology systems.
- SB 49 Requiring new wind energy conversion systems to be constructed with light-mitigating technology systems.
- SB 68 Providing incumbent electric transmission owners a right of first refusal for the construction of certain electric transmission lines.
- SB 78 Requiring the state corporation commission to review the regional rate competitiveness of an electric utility's rates in electric utility rate proceedings.
- SB 88 Providing for the statewide election of commissioners of the state corporation commission, establishing the utilities regulation division in the office of the attorney general, requiring such division to represent and protect the collective interests of utility customers in utility rate-related proceedings and exempting the state corporation commission from the open meetings act.
- SB 144 Exempting satellite service and video programming services accessed over the internet from the video competition act.
- SB 166 Requiring public disclosure of an application for a transmission line siting permit under the jurisdiction of the state corporation commission.
- SB 422 Increasing the capacity limitation for the total amount of facilities subject to net metering that may operate within the service territory of investor-owned electric utilities, requiring facilities to be appropriately sized based on the customer's average load and establishing requirements for exporting power to a utility from a facility subject to net metering.
- SB 455 Authorizing electric public utilities to retain certain electric generating facilities in the utility's rate base.
- SB 456 Establishing a rebuttable presumption against retirement of fossil fuel-fired electric generating units, requiring the state corporation commission to report on such retirements and extending the timelines for the commission to make a determination regarding rate-making treatment for generating or transmission facilities.
- SB 457 Prohibiting public utilities from exercising eminent domain for the siting or placement of solar facilities.

Ways and Means

- SB 45 Updating income eligibility requirements for the state children's health insurance program.
- SB 67 Transferring \$1,000,000,000 from the state general fund to the budget stabilization fund of the department of administration during the fiscal year ending June 30, 2023.
- SB 150 Authorizing the division of printing to print for local governments and schools.
- SB 151 Concerning state agencies; relating to the employee award and recognition program; authorizing hiring, recruitment and retention bonuses; increasing the

- limitation on such award or bonus to \$10,000; eliminating the secretary of administration's authority to adopt rules and regulations; and requiring such secretary to submit an annual report to certain legislative committees concerning such awards and bonuses.
- SB 152 Concerning the salaries of the governor, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, justices of the supreme court, judges of the court of appeals and members of the governor's cabinet; establishing the rate of pay for such state officers based on the annual rate of pay for members of congress, as adjusted by the specific provisions of this act; and providing that all such rates of pay are subject to appropriations.
- SB 153 Making and concerning supplemental appropriations for fiscal years 2023 and 2024 for various state agencies.
- SB 155 Appropriations for FY 2024, FY 2025 and FY 2026 for various state agencies.
- SB 172 Increasing the KPERS lump-sum death benefit from \$4,000 to \$6,000.
- SB 194 Requiring hospital district board members to be qualified electors of the county where the hospital is located or any adjacent county.
- SB 195 Authorizing the children's cabinet to form a 501(c)(3) for fundraising for the Dolly Parton imagination library book gifting program.
- SB 203 Enacting the Kansas campus restoration act to address deferred maintenance at state educational institutions, establishing the Kansas campus restoration fund in the state treasury and authorizing certain transfers from the state general fund to such fund.
- SB 215 Establishing the Kansas rail safety improvement act, providing for safety requirements for railroad operations and crossings and allowing for the transfer of title for abandoned railroad tracks to cities and counties.
- SB 225 Establishing the KanCare bridge to a healthy Kansas program to expand Medicaid eligibility.
- SB 231 Providing postsecondary tuition assistance to certain children of qualifying public school teachers.
- SB 246 Defining in-state and interstate practitioners under the Kansas telemedicine act, establishing certain standards of care, requiring certain insurance coverage of in-state telemedicine services and establishing the Kansas telehealth advisory committee.
- SB 256 Providing KPERS 3 members an additional interest credit of 1% for calendar year 2023.
- SB 265 Increasing the criminal penalties for repeat violations of a protective order.
- SB 266 Requiring law enforcement officers investigating alleged domestic violence to give certain notices to victims and conduct a lethality assessment.
- SB 267 Defining primary aggressor for domestic violence purposes and requiring law enforcement policies to direct that arrest is the preferred response only with respect to the primary aggressor.
- SB 272 Increasing the transfer from the state highway fund to the public use general aviation airport development fund.
- SB 275 Changing the total amount credited to the state gaming revenues fund, increasing the transfer of moneys from such fund to the correctional institutions building fund and decreasing the transfer of moneys to the state economic development initiatives fund.
- SB 277 Providing for the regulation of supplemental nursing services agencies by the secretary for aging and disability services.
- SB 284 Establishing the blind information access act to require the state library to provide on-demand information access services to persons who are blind, visually impaired, deafblind or print disabled.
- SB 294 Increasing the amount of state moneys distributed to local health departments.

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- SB 295 Authorizing the continuation of the 20 mill statewide property tax levy for schools.
- SB 301 Requiring annual filing of a statement of substantial interest by local governmental officers and employees.
- SB 307 Adding for-profit private entity to the definition of "qualified applicant" in the Kansas fights addiction act.
- SB 308 Establishing a state employment preference for persons with disabilities and expanding the veterans preference to include remarried spouses of a deceased veteran who died while, and as a result of, serving in the armed forces and surviving spouses, whether remarried or not remarried of a prisoner of war.
- SB 309 Creating the fixing instant revenue shock for taxpayers fund and the local extraordinary needs fund, establishing the joint committee on local extraordinary needs grants and abolishing the local ad valorem tax reduction fund.
- SB 316 Authorizing a comprehensive grant program for not-for-profit independent institutions of higher education to be administered by the treasurer.
- SB 318 Removing the requirement that municipal courts collect fingerprints from persons convicted of violating certain municipal ordinance provisions related to vehicle registration or driving without a valid driver's license or motor vehicle liability insurance coverage.
- SB 319 Establishing the alternatives to abortion program to provide resources and promote childbirth to women facing unplanned pregnancies.
- SB 320 Creating the born-alive infants protection act to provide legal protections for infants who are born alive regardless of the intent of the delivery.
- SB 324 Creating the legislative help grant fund, establishing legislative help grants, state representative grants and state senator grants for cities and counties and prescribing procedures, requirements and limitations for such grants.
- SB 325 Establishing the transformation of passenger and freight vehicle industry program to attract businesses engaged in electric motor vehicle and hydrogen-powered vehicle production by offering qualified companies that meet certain requirements an investment tax credit, retention of a percentage of total payroll tax, reimbursement of a percentage of eligible employee training and education expenses and a sales tax exemption for construction costs of the qualified company's qualified business facility.
- SB 326 Making and concerning appropriations for FY 23 and FY 24 for the department of administration for an income tax rebate to certain Kansas resident taxpayers.
- SB 348 Requiring that the appointment of the executive director of the Kansas children's cabinet be confirmed by the senate.
- SB 349 Establishing an intercity passenger rail service program and making transfers annually into the passenger rail service revolving fund.
- SB 350 Adding for-profit private entity to the definition of "qualified applicant" in the Kansas fights addiction act and authorizing members of the Kansas fights addiction grant review board to be paid subsistence allowances, mileage and other expenses when attending meetings of the board after January 8, 2024.
- SB 355 Expanding medical assistance eligibility and enacting the cutting healthcare costs for all Kansans act.
- SB 361 Increasing criminal penalties for a driver who leaves the scene of a vehicular accident when the accident results in the death of any person or more than one person, if the driver knew or reasonably should have known that such accident resulted in injury or death.
- SB 364 Allowing victims of childhood sexual abuse to bring a civil action for recovery of damages suffered as a result of such abuse at any time and reviving claims against any party for such damages that occurred on or after July 1, 1984.
- SB 382 Making and concerning appropriations for fiscal years 2024, 2025, 2026, 2027

- and 2028 for state agencies, increasing expenditure limitations, authorizing certain transfers, funding of the fiscal year 2024 salary increase for certain state employees, transferring funds from the legislature employment security fund of the legislative coordinating council to the university of Kansas and Wichita state university health collaboration fund of the university of Kansas, to the Wichita state university and university of Kansas health collaboration fund of Wichita state university and to the state general fund and authorizing certain expenditures from the build Kansas matching grant fund.
- SB 395 Requiring the university of Kansas hospital authority to have prior approval from the legislature or the legislative coordinating council when the legislature is not in session, when purchasing, leasing, trading, exchanging or otherwise acquiring, constructing, repair, remodeling or renovating any real property or facility outside of the state of Kansas.
- SB 481 Concerning Kansas state university, renaming Kansas state university polytechnic campus as Kansas state university – Salina, requirements for admission and credential and degree programs.
- SB 482 Providing that county clerks are not required to send revenue neutral rate notices to property owners of exempt property.
- SB 484 Providing property tax exemptions for certain personal property including watercraft, marine equipment, off-road vehicles, motorized bicycles and certain trailers.
- SB 501 Transferring certain child care programs to the Kansas office of early childhood and separating licensing duties between the secretary for health and environment and the executive director of early childhood.
- SB 505 Increasing the KPERs retirement benefit multiplier for members who are security officers of the department of corrections.
- SB 514 Making and concerning certain supplemental appropriations for fiscal years 2024 and 2025 and appropriations for fiscal years 2025 and 2026 for various state agencies.
- SB 518 Establishing the complex rehabilitation technology coverage act.
- SB 519 Requiring technical colleges to affiliate with a state educational institution or municipal university.
- SB 524 Specifying when boards of directors for irrigation districts of 35,000 or more acres may conduct board member elections by mail ballot and establishing the terms for such members.
- SB 529 Creating the Dwayne Peaslee technical training center district act to authorize the establishment of the Dwayne Peaslee technical training center district in Douglas county.
- SB 542 Making appropriations for the Kansas department for aging and disability services for FY 2025 and creating a program for cities and counties to improve and develop infrastructure for homeless shelters.
- SB 543 Prohibiting state educational institutions from endorsing discriminatory ideologies, using diversity, equity and inclusion statements or providing preferential consideration on the basis of such discriminatory ideologies.
- SB 552 Enacting the Kansas campus restoration act to address deferred maintenance and demolition of facilities at postsecondary educational institutions, establishing the Kansas campus restoration fund in the state treasury and authorizing certain transfers from the state general fund to such fund.

State Legislature, Joint Committees

Joint Committee on Child Welfare System Oversight

HB 2024 Expanding legal surrender of an infant to include infant refuge bassinets.

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J. Russell (Russ) Jennings Joint Committee on Corrections and Juvenile Justice Oversight

- HB 2112 Enacting the Representative Gail Finney foster care bill of rights.
- HB 2113 Prohibiting denial of a petition for expungement due to the petitioner's inability to pay outstanding costs, fees, fines or restitution, providing that the waiting period for expungement starts on the date of conviction or adjudication and authorizing expungement of a juvenile adjudication if the juvenile has not committed a felony offense in the previous two years.
- HB 2114 Renaming the joint committee on corrections and juvenile justice oversight in honor of Representative J. Russell (Russ) Jennings and requiring the committee to monitor the implementation of juvenile justice reforms.
- HB 2115 Prohibiting the use of restraints during hearings under the revised Kansas juvenile justice code unless deemed appropriate by the court.
- HB 2490 Providing that each juvenile offender case length limit extension shall be for not longer than 90 days.
- HB 2491 Abolishing the law enforcement training center fund; all liabilities of such fund are transferred to and imposed on the state general fund; moneys previously credited to such fund shall be credited to the state general fund.

Joint Committee on Special Claims Against the State

- SB 42 Authorizing payment of certain claims against the state.
- HB 2551 Joint committee on special claims against the state; making appropriations; authorizing certain transfers; authorizing certain disbursements.

Joint Committee on Fiduciary Financial Institutions Oversight

- SB 204 Replacing the definition of "charitable beneficiaries" with "qualified charities" in the technology-enabled fiduciary financial institutions act.

Joint Committee on Information Technology

- HB 2077 Implementing additional reporting requirements for informational technology projects and state agencies and requiring additional information technology security training and status reports.
- HB 2078 Changing the membership requirements, terms of members and the quorum requirements for the information technology executive council.

Legislative Post Audit Committee

- SB 330 Eliminating the requirement to conduct a recurring 911 implementation audit, a recurring KPERS audit and certain economic development incentive audits.
- HB 2483 Eliminating the requirement to conduct a recurring 911 implementation audit, a recurring KPERS audit and certain economic development incentive audits.

Joint Committee on Pensions, Investments and Benefits

- SB 23 Eliminating the statutory 15% alternative investment limit for the KPERS fund and requiring the KPERS board to establish an alternative investment percentage limit.
- HB 2025 Authorizing a self-funded cost-of-living adjustment retirement benefit option for certain KPERS members.

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JUNE 18, 2024

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SPECIAL SESSION

Journal of the Senate

FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, June 18, 2024, 9:00 a.m.

Pursuant to the Governor's notification of June 14, 2024, the Senate convened for a Special Session of the Kansas Legislature. The following proclamation was read by Bryan Caskey, Office of the Secretary of State:

PROCLAMATION CALLING THE LEGISLATURE INTO SPECIAL SESSION

TO THE PEOPLE OF KANSAS, GREETINGS:

WHEREAS, Kansans need tax relief; and

WHEREAS, a bipartisan tax cuts proposal was introduced in January 2024 that would have provided more than \$1 billion in savings to Kansas taxpayers over three years; and

WHEREAS, those proposed tax cuts would have significantly reduced state property taxes for Kansas homeowners; completely eliminated state taxes on Social Security; increased the standard deduction; immediately eliminated state sales tax on groceries, diapers, and feminine hygiene products; provided substantial relief for child care; and created a back-to-school state sales tax holiday; and the Legislature decided not to support that proposal; and

WHEREAS, the Legislature was unable to pass sustainable, comprehensive tax relief during the 2024 session; and

WHEREAS, it is of utmost urgency that the Legislature act to provide all Kansans with responsible, common-sense tax relief.

NOW, THEREFORE, I, Laura Kelly, GOVERNOR OF THE STATE OF KANSAS, by the authority vested in me by the Constitution of the State of Kansas, do hereby call the Legislature of the State of Kansas into Special Session at the Capitol in Topeka, Kansas, on the 18th day of June 2024, at the hour of 9:00 o'clock a.m. to pass sustainable, comprehensive tax relief.

DONE: At the Capitol in Topeka
under the Great Seal of
the State this 14th day of
June, A.D. 2024

LAURA KELLY, *Governor*
Scott Schwab, *Secretary of State*

In accordance with the Constitution of the State of Kansas and the Proclamation as read, President Ty Masterson called the Senate to order.

The roll was called with 40 senators present.

Invocation by Reverend Cecil Washington:

Courageous And Unashamed
2 Timothy 1:12

Heavenly Father, we're here again, approaching Your throne of mercy and grace. The grace and mercy of yesterday is greatly appreciated, but Lord we need more of it today.

Lord, where did the idea come from that we can't talk about You in public? In our Declaration of Independence, we affirm that certain inalienable rights are given to us by You, our Creator. In our Pledge of Allegiance we declare that we're "One Nation Under God." On the walls of many of our courtrooms, it says "In God We Trust." So, why do we shy away from talking about You in public, when You're the One Who has established and even secured our freedom!

Every coin in our pocket or bill in our wallet says, "In God We Trust." It's in the founding documents of this great nation. Every legislative session must open in prayer, giving credence to our God. Lord, give us the boldness You gave the Apostle Paul. You used him to give us most of the New Testament. And in the second letter to Timothy 1:12, he says, "I'm not ashamed! I know the one I have faith in." Help us to reject the "secret service" idea of Godly living. But to be courageous and bold in living by Your Divine principles; by loving our neighbors, by doing unto others as we would have them do unto us, by caring for those who cannot do for themselves. Help us develop values and principles to govern our lives so that we experience the words of Psalm 33:12, "Blessed is the nation whose God is the Lord." For You're wanting us to take our faith off the shelf and bring it alive! Let the words be legitimate and not just a saying that we're "One Nation under God, indivisible with liberty and justice for all!"

In 2 Chronicles 7:14, You said, "If My people (your people) who are called by Your Name will humble themselves and pray and seek Your face and turn from wicked ways, then You will hear from Your position in Heaven and will forgive our sin and heal our land."

Lord, I pray You will let Your righteousness powerfully flow to us, excellently rest in us and superbly shine through us. In the Name of Jesus, 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 1, AN ACT concerning taxation; relating to income tax; modifying tax rates for individuals; eliminating the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction and the Kansas personal exemption; increasing the tax credit amount for household and dependent care expenses; relating to privilege tax; decreasing the normal tax rate; relating to property tax; excluding internal revenue code section 1031 exchange transactions as indicators of fair market value; increasing the extent of exemption for residential property from the statewide school levy; providing for certain transfers to the state school district finance

fund; abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-503a, 79-5a27, 79-1107, 79-1108, 79-1479 and 79-32,111c and K.S.A. 2023 Supp. 74-8768, 79-201x, 79-2988, as amended by section 15 of 2024 Senate Bill No. 410, 79-32,110, 79-32,117, as amended by section 14 of 2023 Senate Bill No. 27, 79-32,119 and 79-32,121 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 79-2959, as amended by section 189 of 2023 Senate Bill No. 28, and 79-2964, as amended by section 190 of 2023 Senate Bill No. 28, by Senators Masterson, Alley, Erickson, Kloos and Wilborn.

SB 2, AN ACT concerning taxation; relating to income taxation; eliminating the income limit to qualify for the subtraction modification exempting social security benefits; increasing the tax credit amount for household and dependent care expenses; establishing the veterans' valor property tax relief act; providing for an income tax credit or refund for eligible individuals; citing the increased property tax homestead refund claim section as the homeowners' property tax freeze program; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; decreasing the rate of ad valorem tax imposed by a school district; providing for certain transfers to the state school district finance fund; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 79-5a27, 79-1107, 79-1108 and 79-32,111c and K.S.A. 2023 Supp. 72-5142, 79-201x, 79-2988, as amended by section 15 of 2024 Senate Bill No. 410, 79-32,117, as amended by section 14 of 2023 Senate Bill No. 27, 79-3603, 79-3603d, 79-3620, 79-3703, 79-3710 and 79-4508a and repealing the existing sections, by Senators Holland and Francisco.

SB 3, AN ACT concerning elections; relating to nominations for elected office; clarifying procedures for accepting a nomination for an elected office; imposing restrictions on using multiple nomination procedures; amending K.S.A. 25-302, 25-304 and 25-306 and repealing the existing sections, by Senator Thompson.

SB 4, AN ACT concerning elections; relating to advance voting ballots; requiring the return of such ballots by 7:00 p.m. on the day of the election; amending K.S.A. 25-1132 and repealing the existing section, by Senator Thompson.

SB 5, AN ACT concerning taxation; authorizing counties to impose an earnings tax; amending K.S.A. 19-101a, as amended by section 1 of 2024 House Bill No. 2754, and repealing the existing section, by Senator Haley.

SB 6, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for sales of electricity to residential premises by municipally owned or operated utilities; amending K.S.A. 12-189a and K.S.A. 2023 Supp. 79-3606, as amended by section 15 of 2023 Senate Bill No. 27, and repealing the existing sections, by Senator Haley.

SB 7, AN ACT concerning the personal and family protection act; authorizing federally licensed firearm dealers to receive applications for concealed carry licenses and forward such applications to the attorney general; prohibiting sheriffs from assessing any fee related to application services; allowing dealers to assess a fee not to exceed \$20 related to application services; amending K.S.A. 2023 Supp. 75-7c05, as amended by section 91 of 2024 Senate Bill No. 491, and repealing the existing section,

by Senator Pyle.

SB 8, AN ACT concerning sales tax; relating to exemptions; providing a sales tax exemption for sales of firearms, firearms accessories, ammunition, firearm safes and firearm safety devices; amending K.S.A. 2023 Supp. 79-3606, as amended by section 15 of 2023 Senate Bill No. 27, and repealing the existing section, by Senator Claeys.

SCR 1602— A CONCURRENT RESOLUTION approving the creation of a port authority in Wyandotte County and Kansas City, Kansas, by Senator Haley.

SENATE CONCURRENT RESOLUTION No. 1603—

By Senator Holland

A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; limiting valuation increases for residential property.

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

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of article 11 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 1. System of taxation; classification; exemption. (a) The provisions of this subsection shall govern the assessment and taxation of property on and after January 1, ~~2013~~ 2025, and each year thereafter. Except as otherwise hereinafter specifically provided, the legislature shall provide for a uniform and equal basis of valuation and rate of taxation of all property subject to taxation. The legislature may provide for the classification and the taxation uniformly as to class of recreational vehicles and watercraft, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically provided, mineral products, money, mortgages, notes and other evidence of debt and grain.

The valuation of any residential property shall not increase by more than 2% in any taxable year except when:

- (1) The property includes new construction or improvements have been made to the property;*
- (2) the class or subclass of the property changes for assessment rate purposes;*
- (3) the property becomes disqualified from exemption;*
- (4) the property is first listed as escaped or omitted property;*
- (5) the legal description of the land, lot or parcel changes, except that the total valuation of all property affected by a legal description change shall not exceed the total valuation of the affected property for the previous year by more than 2%; or*
- (6) title to the property is transferred, changed or conveyed to another person.*

For purposes of this valuation limitation provision, residential property means property classified within subclass (1) or class 1 and subclass (1) of class 2 of this section. The legislature may define new construction or improvements by law and enact such other legislation as is necessary to administer this provision.

Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:

Class 1 shall consist of real property. Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located.....11½%
- (2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution.....30%
- (3) Vacant lots.....12%
- (4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code, and which is included in this subclass by law.....12%
- (5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed...33%
- (6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use.....25%
- (7) All other urban and rural real property not otherwise specifically subclassed30%

Class 2 shall consist of tangible personal property. Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purposes of subclassification and assessed uniformly as to subclass as the following percentages of value:

- (1) Mobile homes used for residential purposes.....11½%
- (2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100 mcf or less, which shall be assessed at 25%30%
- (3) Public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed.....33%
- (4) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985.....30%
- (5) Commercial and industrial machinery and equipment which, if its economic life is seven years or more, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost when new of such property.....25%
- (6) All other tangible personal property not otherwise specifically classified30%
- (b) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than

public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation."

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

"Explanatory statement. This amendment would limit annual valuation increases to 2% for residential property for purposes of property taxation except when the property includes new construction or improvements have been made to the property, the class or subclass of the property changes, the property becomes disqualified from exemption, the property is first listed as escaped or omitted property, the legal description of the property changes or title to the property is transferred changed or conveyed to another person.

"A vote for this proposition would limit annual valuation increases to 2% for residential property except when the property includes new construction or improvements have been made to the property, the class or subclass of the property changes, the property becomes disqualified from exemption, the property is first listed as escaped or omitted property, the legal description of the property changes or title to the property is transferred, changed or conveyed to another person. For purposes of this limitation, residential property would include real property used for residential purposes and mobile homes used for residential purposes. The amendment would also authorize the legislature to define new construction or improvements and to enact such other legislation as is necessary to administer the provision.

"A vote against this proposition would provide no change to the Kansas constitution."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case the proposed amendment shall be submitted to the electors of the state at the special election.

SENATE CONCURRENT RESOLUTION No. 1604—

By Senators Tyson, Baumgardner, Blasi, Claeys, Kerschen, Kloos, Peck, Petersen, Pittman and Thompson.

A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; limiting valuation increases for real property and for personal property mobile homes used for residential purposes.

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

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or

rejection: Section 1 of article 11 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 1. System of taxation; classification; exemption. (a) The provisions of this subsection shall govern the assessment and taxation of property on and after January 1, ~~2013~~ 2025, and each year thereafter. Except as otherwise hereinafter specifically provided, the legislature shall provide for a uniform and equal basis of valuation and rate of taxation of all property subject to taxation. The legislature may provide for the classification and the taxation uniformly as to class of recreational vehicles and watercraft, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically provided, mineral products, money, mortgages, notes and other evidence of debt and grain.

The final taxable appraised value of real property classified in any subclass and personal property classified as mobile homes used for residential purposes shall not increase by more than 4%, or a lesser percentage as provided by law, in any taxable year except when:

- (1) The property includes new construction, or improvements have been made to the property;*
- (2) the class or subclass of the property changes for assessment rate purposes;*
- (3) the property becomes disqualified from exemption;*
- (4) the property is first listed as escaped or omitted property, or an error is corrected;*
- (5) the legal description of the land, lot or parcel changes, except that the total final taxable appraised value of all property affected by a legal description change shall not exceed the total final taxable appraised value of the affected property for the previous year by more than 4%, or a lesser percentage as provided by law; or*
- (6) title to the property is transferred, changed or conveyed to another person or entity.*

The legislature may define new construction or improvements by law and enact other legislation to administer this provision. All or any portion of the benefits of the valuation limitation may be portable or transferable under certain circumstances as defined and provided by state statute.

Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:

Class 1 shall consist of real property. Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located..... 11½%
- (2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution..... 30%
- (3) Vacant lots 12%

(4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code, and which is included in this subclass by law.....12%

(5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed..33%

(6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use.....25%

(7) All other urban and rural real property not otherwise specifically subclassified.....30%

Class 2 shall consist of tangible personal property. Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

(1) Mobile homes used for residential purposes.....11½%

(2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100 mcf or less, which shall be assessed at 25%30%

(3) Public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed.....33%

(4) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985.....30%

(5) Commercial and industrial machinery and equipment which, if its economic life is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost when new of such property.....25%

(6) All other tangible personal property not otherwise specifically classified.....30%

(b) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation."

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

"*Explanatory statement.* This amendment would limit annual valuation increases to 4%, or a lesser percentage as provided by law, for real property classified in any subclass and personal property classified as mobile homes used for residential purposes for purposes of property taxation except when the property includes new construction or improvements have been made to the property, the class or subclass of the property changes, the property becomes disqualified from exemption, the property is first listed as escaped or omitted

property, an error is corrected, the legal description of the property changes or title to the property is transferred, changed or conveyed to another person or entity.

"A vote for this proposition would limit annual valuation increases to 4%, or a lesser percentage as provided by law, for real property classified in any subclass and personal property classified as mobile homes used for residential purposes except when the property includes new construction or improvements have been made to the property, the class or subclass of the property changes, the property becomes disqualified from exemption, the property is first listed as escaped or omitted property, an error is corrected, the legal description of the property changes or title to the property is transferred, changed or conveyed to another person or entity. The amendment would authorize the legislature to define new construction or improvements and to enact other legislation to administer the provision. The amendment would also allow for the portability or transfer of all or any portion of valuation limitation benefits under certain circumstances as defined and provided by state statute.

"A vote against this proposition would provide no change to the Kansas constitution."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case the proposed amendment shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The President referred **SB 1** to the Calendar under the heading of General Orders.

The President referred **HB 2001** to the Calendar under the heading of General Orders.

INTRODUCTION AND CONSIDERATION OF CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. 1601—

By Senators Masterson, Alley and Sykes

A CONCURRENT RESOLUTION informing the Governor that the two houses of the Legislature are duly organized and ready to receive communications.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the Secretary of the Senate and the Chief Clerk of the House of Representatives be appointed to wait upon the Governor and inform the Governor that the two houses of the Legislature are duly organized and are ready to receive any communications that the Governor may have to present.

On emergency motion of Senator Alley **SCR 1601** was adopted by voice vote.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senators Masterson, Alley and Sykes introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1701—

A RESOLUTION relating to the organization of the Senate.

Be it resolved by the Senate of the State of Kansas: That the Secretary of the Senate notify the House of Representatives that the Senate is organized with the following officers:

Ty Masterson, president,
Rick Wilborn, vice president,
Larry Alley, majority leader,
Dinah Sykes, minority leader,
Corey Carnahan, secretary,
Don Cackler, sergeant at arms,
and awaits the pleasure of the House of Representatives.

On emergency motion of Senator Alley **SR 1701** was adopted by voice vote.

Senators Haley and Baumgardner introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1702—

A RESOLUTION honoring the life, career and trailblazing achievements of Kansas icon Ed Dwight.

WHEREAS, Ed Dwight was born in Kansas City, Kansas, on September 9, 1933, rising to meteoric heights as the first African American selected for NASA's early astronaut corps, a celebrated sculptor and the oldest person to reach space; and

WHEREAS, Dwight's parents emphasized education and fought for equal opportunities for their son, who became the first African American graduate of Bishop Ward High School in 1951; and

WHEREAS, Dwight earned an associate's degree in engineering from Kansas City Junior College and enlisted in the United States Air Force in 1953; and

WHEREAS, Dwight rose to the rank of Captain, flying high performance jets, training at the aerospace research pilot school and serving as a test pilot at Edwards Air Force Base; and

WHEREAS, While serving proudly in the Air Force, Dwight earned a bachelor's degree in aeronautical engineering from Arizona State University; and

WHEREAS, Dwight was a trailblazer as the first African American astronaut candidate, advancing to the second phase of the training course in the face of great pressure and prejudice; and

WHEREAS, In 1963, despite Dwight's accomplishments and qualifications, he was not selected for Astronaut Group 3, and resigned from the Air Force in 1966, after a highly distinguished career; and

WHEREAS, Dwight went on to earn a master's degree in sculpture from the University of Denver in 1977 and became a celebrated sculptor, recognized worldwide for the creation of works that tell African American history, including "Evolution of Jazz" and a sculpture of President Obama's first inauguration; and

WHEREAS, On May 19, 2024, Ed Dwight, a man who personifies the Kansas state

motto Ad Astra Per Aspera, became the oldest person to travel to space, breaking the record previously held by actor William Shatner; and

WHEREAS, Kansans applaud and celebrate Dwight's contributions to the historical, artistic and social fabric of Kansas and the nation as he continues to create and inspire from his studio and gallery in Denver, Colorado: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we honor the life, career and trailblazing achievements of Kansas icon Ed Dwight; and

Be it further resolved: That we seek to permanently display Ed Dwight's art in a prominent place in or around the Capitol to forever commemorate the brilliant work of a great Kansan; and

Be it further resolved: That the Secretary of the Senate shall send one enrolled copy of this resolution to Ed Dwight and Senators Haley and Baumgardner.

On emergency motion of Senator Baumgardner **SR 1702** was adopted by voice vote.

Senator Faust-Goudeau introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1703—

A RESOLUTION recognizing November 14, 2024, as Ruby Bridges
Walk to School Day in the State of Kansas.

WHEREAS, Kansas was at the epicenter of the landmark United States Supreme Court case, *Brown v. Board of Education of Topeka, Kansas*, which was decided on May 17, 1954, and handed down the unanimous decision that racially segregated public schools violated the 14th Amendment; and

WHEREAS, The Kansas Senate and House of Representatives passed SR 1756 and HR 6047, respectively, commemorating 2024 as the 70th anniversary of the *Brown v. Board of Education* decision, which made segregation in public schools illegal in the United States; and

WHEREAS, In its ruling, the Supreme Court of the United States determined that separate educational facilities are inherently unequal and every citizen of the United States deserves equal education; and

WHEREAS, Ruby Nell Bridges is an American activist who became a symbol of the civil rights movement at age six when she was the youngest of a group of African American students designated to integrate public schools; and

WHEREAS, On November 14, 1960, six-year-old Ruby Bridges attended all-white William Frantz Elementary School in New Orleans, Louisiana, as the only African American student enrolled at the school; and

WHEREAS, Artist Norman Rockwell celebrated Ruby Bridges' courage in 1964 with a painting of Ruby's first day of school entitled "The Problem We All Live With," making Ruby Bridges the national icon for desegregation; and

WHEREAS, Ms. Bridges established The Ruby Bridges Foundation in 1999 to promote "the values of tolerance, respect and appreciation of all differences;" and

WHEREAS, Around November 14 of every year, students, staff and teachers across the country honor Ms. Bridges and the courage it took to walk through the doors of William Franz Elementary School in 1960 by participating in Ruby Bridges Walk to School Day: and

WHEREAS, Inspired by Ruby Bridges' story, the children of Kansas have invited her to Topeka, Kansas, on November 14, 2024, to commemorate the 70th anniversary of *Brown v. Board of Education*, which made her journey possible: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize November 14, 2024, as Ruby Bridges Walk to School Day in the State of Kansas; and

Be it further resolved: That we join the children of Kansas in inviting Ruby Bridges to Topeka, Kansas, on November 14, 2024, to commemorate the 70th anniversary of Brown v. Board of Education; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Faust Goudeau.

On emergency motion of Senator Faust-Goudeau **SR 1703** was adopted by voice vote.

MESSAGES FROM THE GOVERNOR

MESSAGE FROM THE GOVERNOR REGARDING SPECIAL LEGISLATIVE SESSION

Kansans need tax relief. Now. My administration's unwavering commitment to sound fiscal management and historic economic growth has created the opportunity to provide sales, income, and property tax relief for all Kansans.

In January, I introduced, with bipartisan support, a tax cut proposal that would have provided more than \$1 billion in tax relief. This proposal significantly reduced state property taxes, eliminated state taxes on Social Security, increased the standard deduction for state income tax, and immediately eliminated the state sales tax on food, among other provisions.

Kansans should be enjoying those tax breaks now. However, instead of embracing my plan, Legislative leadership crafted their own tax relief legislation.

While I appreciate the bipartisan efforts that went into the tax relief bills passed by the Legislature this session, each of those proposals was too costly and endangered the state's fiscal future. I vetoed those bills and asked the Legislature for common-sense, fiscally sustainable alternatives.

We cannot repeat past mistakes. We cannot jeopardize the progress made in rebuilding our state's economy, infrastructure, and education system over the last six years.

As you return, Legislative leadership and I have come to a consensus on a tax relief package that will be presented to the House and Senate during the upcoming special session. This agreement allows significant, long overdue, tax relief to Kansans, while preserving our ability to invest in the state's future. This agreement is not without its flaws. The movement from a three-tiered to two-tiered income tax structure limits the amount of property tax relief that can be provided to Kansans. However, it does meet the affordability criteria I proposed. Thus, should the legislature pass this negotiated agreement, without changes, I intend to sign it.

Now is the time for us to get this done. And together, we can. (June 14, 2024)

Enclosed is Executive Order 24-04 for your information. (May 15, 2024)

Enclosed herewith is Executive Directive No. 24-583 for your information. (May 30, 2024)

Enclosed herewith is Executive Directive No. 24-584 for your information. (June 5, 2024)

MESSAGES FROM THE HOUSE

Announcing adoption of **HR 6001**, a resolution relating to the organization of the 2024 House of Representatives for the 2024 Special Session and selection of the following officers:

Dan Hawkins, Speaker of the House
 Blake Carpenter, Speaker Pro Tem
 Chris Croft, Majority Leader
 Vic Miller, Minority Leader
 Susan Kannarr, Chief Clerk
 Foster Chisholm, Sgt. At Arms

and awaits the pleasure of the Senate.

Announcing adoption of **SCR 1601**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2024 special session of the Legislature is duly organized and ready to receive communication. The Secretary of the Senate and Chief Clerk of the House were appointed to notify the Governor.

Announcing passage of **SB 1**.

Announcing passage of **HB 2001**.

Announcing adoption of **HCR 5002**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2001; HCR 5002 were thereupon introduced and read by title.

CONSIDERATION OF ORIGINAL MOTIONS

HCR 5002, A CONCURRENT RESOLUTION relating to the 2024 special session of the Legislature and providing for adjournment sine die thereof.

On emergency motion of Senator Alley, **HCR 5002** was adopted by voice vote.

Senator Alley motioned to advance **SB 1** to Emergency Final Action, subject to amendment, debate and roll call. Motion carried.

Senator Alley motioned to advance **HB 2001** to Emergency Final Action, subject to amendment, debate and roll call. Motion carried.

EMERGENCY FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Upon the showing of ten hands, a motion to Call the Question on **SB 1** was made.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 22; Nays 16; Present and Passing 2; Absent or not voting 0.

Yeas: Alley, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Thompson, Wilborn.

Nays: Baumgardner, Blasi, Bowers, Corson, Francisco, Gossage, Haley, Holland, O'Shea, Peck, Pyle, Shallenburger, Steffen, Straub, Tyson, Warren

Present and Passing: Billinger, Ware

The motion prevailed.

EXPLANATION OF VOTE

I vote “NO” on calling the question to end debate on **Senate Bill 1**. Although there was an “informational hearing” on the tax bill yesterday, the committee could not offer amendments or work the bill because the special session did not begin until today. I was told that there would be some delay this morning because the Revisor's staff can't process amendments until a bill is introduced and read in but also that there would be opportunity for amendments and debate on the Senate floor. Several legislators noted that this bill is not perfect; others argued that additional changes in tax policy can be made next session. My understanding is that this bill provides the greatest amount of tax relief that the Governor believes is sustainable during the next few years. If that is the case, the time to work on coming to agreement on the details of this tax policy is now.

—MARCI FRANCISCO

SB 1, AN ACT concerning taxation; relating to income tax; modifying tax rates for individuals; eliminating the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction and the Kansas personal exemption; increasing the tax credit amount for household and dependent care expenses; relating to privilege tax; decreasing the normal tax rate; relating to property tax; excluding internal revenue code section 1031 exchange transactions as indicators of fair market value; increasing the extent of exemption for residential property from the statewide school levy; providing for certain transfers to the state school district finance fund; abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-503a, 79-5a27, 79-1107, 79-1108, 79-1479 and 79-32,111c and K.S.A. 2023 Supp. 74-8768, 79-201x, 79-2988, as amended by section 15 of 2024 Senate Bill No. 410, 79-32,110, 79-32,117, as amended by section 14 of 2023 Senate Bill No. 27, 79-32,119 and 79-32,121 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961, 79-2962, 79-2965, 79-2966 and 79-2967 and K.S.A. 2023 Supp. 79-2959, as amended by section 189 of 2023 Senate Bill No. 28, and 79-2964, as amended by section 190 of 2023 Senate Bill No. 28.

On roll call, the vote was: Yeas 34; Nays 4; Present and Passing 2; Absent or not voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust Goudeau, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Baumgardner, Holland, Steffen, Straub

Present and Passing: Doll, Francisco

The bill passed.

EXPLANATION OF VOTE

I vote “PASS” on **Senate Bill 1**. I came to Topeka for the Special Session with the intention of passing tax relief for Kansans. My constituents have been vocal about wanting tax relief, particularly property tax relief. I am aware of amendments that would have moved the elimination of the state sales tax on groceries forward to October 1 of this year, provide property tax relief for veterans, make meaningful adjustments in property taxes for homeowners and also provide some property tax relief for businesses

and agriculture. After the Senate voted to end debate on **SB 1** before any amendments had even been introduced, I could not in good conscience vote “AYE” on the bill. I support tax relief for Kansans, but vote “PASS” in protest of the procedure used to curtail any amendments that could have provided for more appropriate tax relief.—
MARCI FRANCISCO

The legislative process is broken. I vote No on **Senate Bill 1**. Today, during the Special Session, a bi-partisan group of senators made a roll call vote to prematurely end debate on **SB 1**. They denied both me and other senators the ability to present floor amendments, which were still being prepared by the Revisors Office when debate was abruptly cut off. The Revisor's Office was evidently slow in getting floor amendments prepared for the special session debate due to Republican leadership turning **SB 1** in late to the Revisors Office prior to session. Not one floor amendment was presented, yet at least 3 senators stated on the floor that they had amendments coming. My amendment using **Senate Bill 2** contents would have "gutted" the underlying contents of **SB 1**. Had my amendment been considered and adopted by the body, severely disabled Kansas veterans and residential homeowners would have enjoyed substantially more property tax relief (Veterans' Valor Property Tax Relief Act - saving on average \$1,400 annually / \$250,000 homeowners saving \$213 annually) versus what is in **SB 1** (disabled veterans \$0, \$250,000 homeowners \$70). The minority advocating for more property tax relief was unjustly silenced today. Unfortunately, that means yet another win for the special interests at the expense of Joe and Jane Homeowner who are drowning in ever-increasing residential property taxes.—TOM HOLLAND

This special session and tax bill may go down in history as the “Deflategate” of Special Sessions. I refuse to play ball with billionaire globalist lobbyists, cheaters, liars, and thieves. Kansans deserve better!—ALICIA STRAUB

Kansans keeping more of their hard earned money is always a win. However, the politics above policy is a disturbing trend that has cost taxpayers billions of dollars. I will not give up working for the best policy. My commitment is to be a tireless advocate for the people of my district and our state. There is over \$4 billion in the state coffers, \$1.7 billion in the rainy day fund that earns approximately \$10 and \$12 million a month - over \$120,000,000 a year, that could be used for tax cuts. It's time to return the money to the taxpayers. The problem is spending. Last year there was an approximate increase of over 13%, \$1.1 billion in SGF spending. This year, SGF spending increased over \$1.2 billion, a 14% increase. We can absolutely afford more tax cuts. I am voting for this legislation because the Governor and a handful of legislators will only allow it to be “the best we can get,” but as the good Senator from Miami said, "we can do better."—
CARYN TYSON

Senators Peck and Thompson request the record to show they concur with the "Explanation of Vote" offered by Senator Tyson on **SB 1**.

HB 2001, AN ACT concerning economic development; relating to the STAR bonds financing act; authorizing the secretary of commerce to enter into agreements with major professional sports franchises to establish up to two STAR bond projects for a major professional sports complex or approve such projects of a city or county as authorized by the legislative coordinating council; expanding bond financing revenue

sources and the discretion of the secretary and making other provisions in the STAR bonds financing act for the purpose of facilitating such projects; allowing the secretary to undertake or finance such projects independently or with local revenue when approved by a city or county; limiting the secretary's authority to approve such projects to a period of one year and permitting the legislative coordinating council to extend such authority for an additional year; authorizing the Kansas development finance authority to issue STAR bonds for such projects when approved by the secretary; providing for transfers of certain funds from the state gaming revenues fund to the attracting professional sports to Kansas fund for the fiscal year ending June 30, 2025, and each fiscal year thereafter; amending K.S.A. 12-17,162, 12-17,164, 12-17,168, 12-17,169, 12-17,170, 12-17,174 and 79-4801 and K.S.A. 2023 Supp. 79-4108 and 79-41a03 and repealing the existing sections.

On roll call, the vote was: Yeas 27; Nays 8; Present and Passing 3; Absent or not voting 2.

Yeas: Alley, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust Goudeau, Haley, Holscher, Kerschen, Longbine, Masterson, McGinn, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Ware, Warren, Wilborn.

Nays: Baumgardner, Francisco, O'Shea, Peck, Pyle, Straub, Thompson, Tyson

Present and Passing: Billinger, Gossage, Kloos

Absent or Not Voting: Holland, Steffen

The bill passed.

EXPLANATION OF VOTE

I vote "No" on **HB 2001**. The Governor called the special session to address tax relief but Senate ended up spending much more time discussing this STAR bond proposal. **HB 2001** allows the use of STAR Bonds to finance 70% of the construction of one or two professional football or baseball sports stadiums and practice facilities in Kansas. The bill expands the original scope of use of STAR bonds from a local tool for development to one negotiated by the Kansas Secretary of Commerce. It extends the time for bond repayment from 20 to 30 years and expands funds allocated to paying back those bonds from the sales tax receipts in the district by adding liquor taxes and sports betting revenue from the Attracting Professional Sports to Kansas Fund and by transferring any increase in lottery funds above \$71.49 million annually to the Attracting Professional Sports to Kansas Fund in perpetuity. The terms will only be made public if the Legislative Coordinating Council, an 8-member subcommittee of the full Legislature, approves an agreement; there is no room for public input or legislative oversight before the deal is negotiated and approved. I hope this brings benefits to Kansas but could not in good conscience limit funds available for other economic investments by reserving them for sports teams owned by billionaires.—MARC FRANCISCO

I stand in strong support of this legislation that gives the Chiefs and Royals options to stay in the greater Kansas City area as the Missouri side has fumbled the ball. I encourage our Administration to get out there and use this toolkit of incentives to offer the Chiefs and Royals a home here in Kansas. I encourage our local units of government to work with the Administration, with the LCC and the teams to craft the best opportunity for our citizens, our communities and the teams. Let's go as a team and

score a touchdown, a home run or both!—JEFF PITTMAN

Senators Haley and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **HB 2001**.

I appreciate all of the hard work leadership and various committees have done to make this modified STAR Bonds bill palatable. However, what we have in this bill is an undefined framework that leaves too many questions unanswered and too many assumptions accepted as fact. We don't know what areas will be included in the STAR Bonds district. We don't have a clear-cut idea of how counties and cities who decide to join the district will impose those obligations on their residents. We don't know who will maintain these stadiums once they are built. Sales tax revenues diverted toward debt obligation will rob revenue from essential services in any proposed Star Bond district and will need to be replenished by taxpayers one way or another. Taxpayers could be on the hook indirectly at a time when we need to bring tax relief to Kansans. In this bill's current form I would have no ability to sign off on a final deal that may include provisions detrimental to my district. We cannot allow emotions to cloud objective analysis in this situation...so I am compelled to vote no.—MIKE THOMPSON

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of June 18, 2024:

Senator Bowers: celebrating Evelyn Davidson's 100th Birthday, congratulating Diana VanBruggen on receiving the 2024 Kansas Municipal Utilities Water Operator Award of Excellence, congratulating Brian Tholstrup on receiving the 2024 Kansas Municipal Utilities Line Worker Award of Excellence, congratulating Ben Willroth on receiving the 2024 Kansas Municipal Utilities Power Plant Operator Award of Excellence, congratulating Charlene Beougher on being named the 2024 Kansas Learning Center for Health Teacher of the Year, congratulating Kelly Armknecht on being named the 2024 Kansas Fellowship of Christian Athletes Coach of the Year, congratulating Norah Ellenz on receiving the Kansas Entrepreneurship Challenge Exemplary Recognition, congratulating Joshua Meyer on being named the 2024 Kansas Funeral Director of the Year, congratulating John Kern on receiving the Kansas FFA Golden Owl Award, congratulating Tim Zenger on receiving the Kansas FFA Outstanding Achievement Award; and

Senator O'Shea: congratulating Kade Moon on achieving the rank of Eagle Scout.

As provided by **HCR 5002**, Senator Alley moved the Senate adjourn Sine Die.

President Masterson there upon announced: "By virtue of the authority vested in me as President of the Senate, I now declare the 2024 Special Session of the Kansas Senate adjourned Sine Die."

MESSAGES FROM THE GOVERNOR

SB 1 approved on June 20, 2024.

REPORT ON ENROLLED BILLS AND RESOLUTIONS

SB 1 reported correctly enrolled, properly signed and presented to the Governor on June 20, 2024.

SCR 1601 reported correctly enrolled, properly signed and presented to the Secretary of State on June 20, 2024.

SR 1701, SR 1702, SR 1703 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on June 20, 2024.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*



HISTORY OF SENATE BILLS 2024 SPECIAL SESSION

- S 1** Bill by Senators Masterson, Alley, Erickson, Kloos, Wilborn
Modifying income tax rates for individuals, exempting all social security benefits from Kansas income tax, increasing the Kansas standard deduction and the Kansas personal exemption, increasing the income tax credit amount for household and dependent care expenses, decreasing the privilege tax normal tax, excluding internal revenue code section 1031 exchange transactions as indicators of fair market value for property tax valuation purposes, increasing the extent of property tax exemption for residential property from the statewide school levy, providing for certain transfers to the state school district finance fund and abolishing the local ad valorem tax reduction fund and the county and city revenue sharing fund.
 06/18/2024 Senate—Introduced—SJ 2
 06/18/2024 Senate—Motion to advance to EFA, subject to amendment, debate and roll call. Motion carried.—SJ 13
 06/18/2024 Senate—Call the Question. Motion carried. Yea: 22 Nay: 16—SJ 13
 06/18/2024 Senate—Emergency Final Action - Passed; Yea: 34 Nay: 4—SJ 14
 06/18/2024 House—Received and Introduced—HJ 7
 06/18/2024 House—Motion to advance to Emergency Final Action Subject to Amendment and debate adopted.—HJ 7
 06/18/2024 House—Committee of the Whole - Amendment by Representative Miller, V. was rejected—HJ 7
 06/18/2024 House—Emergency Final Action - Passed; Yea: 121 Nay: 2—HJ 7
 06/18/2024 Senate—Enrolled and presented to Governor on Thursday, June 20, 2024—SJ 17
 06/18/2024 Senate—Approved by Governor on Thursday, June 20, 2024—SJ 17
- S 2** Bill by Senators Holland, Francisco
Eliminating the income limit to qualify for the subtraction modification exempting social security benefits, increasing the income tax credit amount for household and dependent care expenses, establishing the veterans' valor property tax relief act providing for an income tax credit or refund for eligible individuals, citing the increased property tax homestead refund claim section as the homeowners' property tax freeze program, decreasing the normal privilege tax rate, increasing the extent of property tax exemption for residential property from the statewide school levy, decreasing the rate of ad valorem tax imposed by a school district; providing for certain transfers to the state school district finance fund, reducing the state rate of tax on sales of food and food ingredients and modifying the percent credited to the state highway fund from revenue collected.
 06/18/2024 Senate—Introduced—SJ 3
 06/18/2024 Senate—Died on Calendar
- S 3** Bill by Senator Thompson
Clarifying the procedures and restrictions on accepting a nomination for an elected office.
 06/18/2024 Senate—Introduced—SJ 3
 06/18/2024 Senate—Died on Calendar

- S 4 Bill by Senator Thompson
Requiring all advance voting ballots be returned by 7:00 p.m. on election day.
 06/18/2024 Senate—Introduced—SJ 3
 06/18/2024 Senate—Died on Calendar
- S 5 Bill by Senator Haley
Authorizing counties to impose an earnings tax.
 06/18/2024 Senate—Introduced—SJ 3
 06/18/2024 Senate—Died on Calendar
- S 6 Bill by Senator Haley
Providing a sales tax exemption for sales of electricity to residential premises by municipally owned or operated utilities.
 06/18/2024 Senate—Introduced—SJ 3
 06/18/2024 Senate—Died on Calendar
- S 7 Bill by Senator Pyle
Authorizing federally licensed firearm dealers, in addition to county sheriffs, to receive applications for concealed carry licenses and forward such applications to the attorney general, prohibiting sheriffs from assessing any fee related to application services and allowing dealers to assess a fee related to application services not to exceed \$20.
 06/18/2024 Senate—Introduced—SJ 3
 06/18/2024 Senate—Died on Calendar
- S 8 Bill by Senator Claeys
Exempting the sale of firearms, firearms accessories, ammunition, firearm safes and firearm safety devices from the retailers' sales tax.
 06/18/2024 Senate—Introduced—SJ 4
 06/18/2024 Senate—Died on Calendar
- S 1601 Concurrent Resolution by Senators Masterson, Alley, Sykes
Informing the Governor that the two houses of the Legislature are organized and ready to receive communications.
 06/18/2024 Senate—Introduced—SJ 9
 06/18/2024 Senate—Adopted without roll call—SJ 9
 06/18/2024 House—Received and Introduced
 06/18/2024 House—Adopted without roll call—HJ 6
 06/18/2024 Senate—Enrolled and presented to Secretary of State on Thursday, June 20, 2024—SJ 17
- S 1602 Concurrent Resolution by Senator Haley
Approving the creation of a port authority in Wyandotte County Kansas.
 06/18/2024 Senate—Introduced—SJ 4
 06/18/2024 Senate—Died on Calendar
- S 1603 Concurrent Resolution by Senator Holland
Proposing to amend section 1 of article 11 of the constitution of the state of Kansas to limit property tax valuation increases for residential property.
 06/18/2024 Senate—Introduced—SJ 4
 06/18/2024 Senate—Died on Calendar

- S 1604** Concurrent Resolution by Senators Tyson, Baumgardner, Blasi, Claeys, Kerschen, Kloos, Peck, Petersen, Pittman, Thompson
Proposing to amend section 1 of article 11 of the constitution of the state of Kansas to limit property tax valuation increases for real property and personal property mobile homes.
06/18/2024 Senate—Introduced—SJ 6
06/18/2024 Senate—Died on Calendar
- S 1701** Resolution by Senators Masterson, Alley, Sykes
Providing for the organization of the Senate for the 2024 special session of the Legislature.
06/18/2024 Senate—Introduced—SJ 10
06/18/2024 Senate—Adopted without roll call—SJ 10
06/18/2024 Senate—Enrolled on Thursday, June 20, 2024—SJ 18
- S 1702** Resolution by Senators Haley, Baumgardner
A resolution honoring the life, career and trailblazing achievements of Kansas icon Ed Dwight.
06/18/2024 Senate—Introduced—SJ 10
06/18/2024 Senate—Adopted without roll call—SJ 11
06/18/2024 Senate—Enrolled on Thursday, June 20, 2024—SJ 18
- S 1703** Resolution by Senator Faust-Goudeau
Recognizing November 14, 2024, as Ruby Bridges Walk to School Day.
06/18/2024 Senate—Introduced—SJ 11
06/18/2024 Senate—Adopted without roll call—SJ 12
06/18/2024 Senate—Enrolled on Thursday, June 20, 2024—SJ 18

FINAL
2024 SPECIAL SESSION
SENATE CALENDAR
No. 2

JUNE 18, 2024 THROUGH ADJOURNMENT JUNE 18, 2024
NUMERICAL SCHEDULE OF SENATE BILLS

2024 SPECIAL SESSION

1 Signed, Pub 6/27/24	4 Died, Cal	7 Died, Cal
2 Died, Cal	5 Died, Cal	8 Died, Cal
3 Died, Cal	6 Died, Cal	

NUMERICAL SCHEDULE OF
SENATE CONCURRENT RESOLUTIONS

2024 SPECIAL SESSION

1601 Adopted & Enr	1603 Died, Cal	1604 Died, Cal
1602 Died, Cal		

NUMERICAL SCHEDULE OF SENATE RESOLUTIONS
2024 SPECIAL SESSION

1701 Adopted & Enr	1702 Adopted & Enr	1703 Adopted & Enr
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SENATE ACTION ON HOUSE BILLS
2024 SPECIAL SESSION

2001 Passed, Final Action

SENATE ACTION ON HOUSE CONCURRENT RESOLUTIONS
2024 SPECIAL SESSION

5002 Adopted

STATUS OF ENROLLED BILLS AND RESOLUTIONS
2024 SPECIAL SESSION

Senate bills signed by the Governor: Nos. 1

Senate resolutions adopted: Nos. 1701, 1702, 1703

Senate concurrent resolutions adopted by both Houses: Nos. 1601

Note: the following Senate bills were published in Kansas Register: Nos. 1

LEGEND

Cal	Calendar
Enr	Enrolled
Pub	Published in Kansas Register (Effective date printed)

Laurie Varner, Nancy Reddy, *Calendar Clerks*

Corey Carnahan,
Secretary of the Senate



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