

SESSION OF 2024

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2754

As Recommended by House Committee on
Judiciary

Brief*

HB 2754 would allow counties to opt out of conducting school sanitary inspections pursuant to home rule powers granted to counties under the County Home Rule Act (Act).

Current law provides that counties may not exempt from or effect changes to law governing the duties of local health officers as outlined in KSA 65-202, including the duty to make a sanitary inspection of school buildings and grounds and additional inspections as necessary to protect the public health of the students of the school. The bill would allow a county to exempt itself from the local health officer duty to conduct an annual sanitary inspection of each school building and its grounds. [Note: Other duties of the local health officer specified in KSA 65-202 could not be exempted by a county under continuing law.]

Background

The bill was introduced by the House Committee on Judiciary at the request of Representative Humphries.

House Committee on Judiciary

In the House Committee hearing, representatives of the Johnson County Department of Health and Environment, the Kansas Association of Local Health Departments, and the

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Sedgwick County Board of Commissioners provided **proponent** testimony. Proponents stated prior to the COVID-19 pandemic, counties were able to exempt from school sanitary inspections, but the option was removed when several changes to law regarding public health officers were enacted in HB 2016 during the 2020 Special Session. Proponents stated in some counties, requiring the local health department to make these inspections is duplicative of work already being done by other entities. The proponents also noted that for counties with larger school districts, many more resources are needed to fulfill the requirement.

Written-only proponent testimony was provided by representatives of Butler County Health Department, Grant County Health Department, Kansas Association of Counties (KAC), McPherson County Health Department, Morton County Health Department, and the Wyandotte County Health Department.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Kansas Department of Health and Environment states enactment of the bill would not have a fiscal effect on agency operations.

The KAC states enactment of the bill could reduce duties for public health officials.

The Kansas Association of School Boards and the League of Kansas Municipalities indicate enactment of the bill would have no fiscal effect on school districts or cities, respectively.

Home Rule; counties; school sanitary inspections; local health officer