

Journal of the Senate

SEVENTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 5, 2025, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 39 senators present.

Senator Shane was excused.

President Masterson introduced guest chaplain, Doug Henkle, who delivered the following invocation:

Heavenly Father, it's a blessing to understand that You know each of us intimately, that You are cognizant of every detail of our lives. As this body has come together from across our state for this legislative session, the focus of senators and staff turns from matters of personal business, home, family, and hometown relationships to relationships within this building and to issues of significance for our entire state. Yet, the concerns and joys of life outside of this building remain.

I pray that concerns could be shared with colleagues here and that the burden would be lightened by an encouraging word, a prayer together or a heartfelt embrace. And Father, I ask that the joys from home would be shared as well and found to be a blessing and encouragement.

Please give each senator here the wisdom and grace to find the peaceful balance between legislative duties and responsibilities and being the spouse, the parent, the friend or colleague You've called them to be.

Jesus, cause a common bond of service to our state to draw us together despite political differences and contrasting legislative approaches to issues of the day. Keep us from quarrels and angry disputes, injuring otherwise friendly relations. Before we speak, remind us that our words have consequences, that death words destroy, hurt, and create humiliating feelings, but life words build and increase strength of character. Cause us, as Your Word admonishes us to do, to speak the truth in love. Lord, I lift up each senator here to You today. Bless them with Your wisdom, Your grace, and Your peace. 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 197, AN ACT concerning the STAR bonds financing act; extending the expiration date of the STAR bonds financing act to July 1, 2030; amending K.S.A. 12-17,179 and repealing the existing section, by Committee on Commerce.

SB 198, AN ACT concerning abortion; prohibiting abortion procedures, except when necessary to save the life of the pregnant woman; providing a private cause of action for civil enforcement of violations of such prohibition; amending K.S.A. 65-2837, 65-6731, 65-67a01, 76-3308 and 79-32,195 and K.S.A. 2024 Supp. 60-1906, 65-2401, 79-32,182b, 79-32,261 and 79-3606 and repealing the existing sections; also repealing K.S.A. 65-4a02, 65-4a03, 65-4a04, 65-4a05, 65-4a06, 65-4a07, 65-4a08, 65-4a09, 65-4a10, 65-4a11, 65-4a12, 65-6702, 65-6703, 65-6704, 65-6705, 65-6707, 65-6709, 65-6710, 65-6711, 65-6712, 65-6714, 65-6715, 65-6721, 65-6722, 65-6724, 65-6725, 65-6726, 65-6741, 65-6743, 65-6744, 65-6745, 65-6746, 65-6747, 65-6748 and 65-6749 and K.S.A. 2024 Supp. 65-4a01, 65-6701, 65-6708, 65-6723 and 65-6742, by Committee on Public Health and Welfare.

SB 199, AN ACT concerning fireworks, defining the fireworks sales season for seasonal retailers of consumer fireworks and providing for year-round sales by permanent retailers of consumer fireworks; requiring registration with the state fire marshal by such seasonal and permanent retailers; prohibiting internet sales of consumer fireworks; creating the license categories of distributor of display fireworks, distributor of articles pyrotechnic and unlimited distributor; limiting lawful sale of fireworks labeled "For Professional Use Only" to certain license categories; amending K.S.A. 31-502 and 31-503 and repealing the existing sections, by Committee on Commerce.

SB 200, AN ACT concerning purple heart awards; designating Kansas as a purple heart state; requiring the governor to declare August 7 of each year as a purple heart day, by Senators Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, Joseph Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Ware and Warren.

SB 201, AN ACT concerning property taxation; relating to exemptions; providing for a property tax exemption for homestead property of certain veterans and former law enforcement officers with service-connected disabilities, by Senator Schmidt.

SB 202, 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 Shane, Joseph Claeys, Clifford, Corson, Pettey and Sykes.

SB 203, AN ACT concerning notices to appear; relating to witnesses; authorizing a show cause notice to be issued for an unavailable witness or a material witness; amending K.S.A. 22-2805 and 60-459 and repealing the existing sections, by Committee on Judiciary.

SB 204, AN ACT concerning court records; relating to records in criminal and juvenile offender cases; requiring the sealing of certain records related to case information, warrants and subpoenas; amending K.S.A. 2024 Supp. 60-2617 and repealing the existing section, by Committee on Judiciary.

SB 205, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving violations of personal rights; increasing the criminal penalty for certain violations of breach of privacy when the victim is a child; amending K.S.A. 2024 Supp. 21-6101 and repealing the existing section, by Committee on Judiciary.

SB 206, AN ACT concerning the Kansas offender registration act; requiring any person convicted of distribution of a controlled substance causing great bodily harm or death to register under the Kansas offender registration act; amending K.S.A. 22-4902 and 22-4906 and repealing the existing sections, by Committee on Judiciary.

SB 207, AN ACT concerning child care; relating to the department of administration, the Kansas children's cabinet and the department of health and environment; establishing a pilot program to provide health services to child care providers; making telehealth consultation services available to eligible child care providers; providing up to \$100 per month in reimbursements for prescription medication costs to child care providers accepted into the health services program; prohibiting cities, counties or other political subdivisions from regulating licensed child care providers more strictly than state law; requiring the department of health and environment to provide a list of licensed child care providers to any city, county or other political subdivision upon request; providing any licensed in-home or group-home child care providers that receive a lower tier of reimbursement under the child and adult care food program to be matched with the top tier of funding that is otherwise made available to other providers under the program; developing and providing free orientation and training programs and training materials to child care providers and licensees; allowing orientation and training to count as continuing education hours; requiring the department and the Kansas children's cabinet to develop a training reimbursement program; amending K.S.A. 65-508 and repealing the existing section, by Committee on Ways and Means.

SB 208, 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. 2024 Supp. 38-2302 and repealing the existing section, by Committee on Federal and State Affairs.

SB 209, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for sales of firearms, firearm accessories, ammunition, firearm safes and firearm safety devices; amending K.S.A. 2024 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 210, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for certain purchases and sales by the Johnson county Christmas bureau association; amending K.S.A. 2024 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 211, AN ACT concerning wildlife and parks; relating to rules and regulations; requiring members of the wildlife and parks commission to submit proposed rules and regulations to such commission; amending K.S.A. 2024 Supp. 32-805 and repealing the existing section, by Committee on Federal and State Affairs.

SB 212, AN ACT concerning health and healthcare; enacting the prescription drug cost and affordability review act; establishing the prescription drugs pricing board and prescription drug affordability stakeholder council to review the cost of prescription medications and establish upper payment limits for certain prescription drug products, by Senator Sykes.

SB 213, AN ACT concerning wildlife; relating to hunting; prohibiting nonresidents from hunting migratory waterfowl during the hunting season except on Sundays, Mondays and Tuesdays; applying such restriction to department lands and waters, federal lands and waters managed by the United States army corps of engineers at

specified reservoirs, the bureau of reclamation at certain reservoirs and the United States fish and wildlife service at designated refuges; exempting properties designated as walk-in hunting access areas, navigable rivers in Kansas and the conservation order for light geese season from such restriction; reducing fees for migratory waterfowl habitat stamps; amending K.S.A. 32-939 and K.S.A. 2024 Supp. 32-988 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 214, AN ACT concerning attorneys at law; relating to the practice of law in rural Kansas; enacting the attorney training program for rural Kansas act; providing financial assistance to attorneys and law students who practice law in rural areas of the state; establishing the attorney training program for rural Kansas fund, by Committee on Ways and Means.

SB 215, AN ACT concerning taxation; relating to homestead property tax refund claims; excluding social security payments from household income and increasing the household income and the appraised value thresholds for eligibility of seniors and disabled veterans related to increased property tax claims; amending K.S.A. 2024 Supp. 79-4508a and repealing the existing section, by Senators Corson, Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Schmidt and Sykes.

SB 216, AN ACT concerning labor and employment; establishing the Kansas paid sick time act; requiring earned paid sick time to be compensated at the same hourly rate and benefits as normally earned; detailing the accrual of earned paid sick time, with different limits based on the size of the employer; allowing carryover of up to 80 hours of unused paid sick time or payment for unused time at year-end; requiring employers to provide employees with written notice regarding earned paid sick time; mandating that earned paid sick time be available for various health-related and safety-related reasons; prohibiting employers from requiring employees to find replacement workers when using paid sick time; allowing employers to require reasonable documentation for earned paid sick time used for three or more consecutive days; making it unlawful for employers to retaliate against employees exercising rights under the act; granting employees the right to bring civil action for violations; ensuring confidentiality of health and safety information; affirming that the act does not apply to employees under a collective bargaining agreement until such agreement's expiration; affirming that the act provides minimum requirements and does not preempt greater benefits than provided by this act, by Senators Corson, Holscher, Pettey, Schmidt and Sykes.

SB 217, AN ACT concerning property taxation; relating to exemptions; increasing the extent of exemption for residential property from the statewide school levy; amending K.S.A. 2024 Supp. 79-201x and repealing the existing section, by Senators Corson, Pettey and Sykes.

SB 218, AN ACT concerning labor and employment; increasing the minimum wage of employees; amending K.S.A. 44-1202 and 44-1203 and repealing the existing sections, by Senators Corson, Holscher, Pettey, Schmidt and Sykes.

SB 219, AN ACT concerning insurance; relating to accident and health insurance; imposing coverage requirements for coverage of diagnostic and supplemental breast examinations; amending K.S.A. 40-2,103 and 40-19c09 and repealing the existing sections, by Senator Sykes.

SB 220, AN ACT concerning children and minors; relating to child labor; increasing the penalty for unlawful employment of any person or child; amending K.S.A. 38-612 and repealing the existing section, by Senators Sykes, Corson, Faust-Goudeau,

Francisco, Holscher and Pettey.

SB 221, AN ACT concerning the judicial council; changing the membership from four resident lawyers to one resident lawyer from each congressional district; amending K.S.A. 20-2201 and repealing the existing section, by Committee on Judiciary.

SB 222, AN ACT concerning state agencies; relating to interpretation of statutes, rules and regulations and documents with the force and effect of law; prohibiting deference to the agency's interpretation by a state court or an officer hearing an administrative action, by Committee on Judiciary.

SENATE CONCURRENT RESOLUTION No. 1610—

By Senators J.R. Claeys, Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, Joseph Claeys, Clifford, Dietrich, Erickson, Fagg, Gossage, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Rose, Shallenburger, Shane, Starnes, Thomas, Thompson, Titus, Tyson and Warren

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 natural and fundamental right; clarifying that such right includes the possession and use of ammunition, firearm accessories and firearm components; making restrictions on such right subject to strict scrutiny.

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 a special election, which is hereby called on August 4, 2026, 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 were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 184**.

Assessment and Taxation: **SB 179, SB 190, SB 192, SB 195**.

Commerce: **SB 189; HB 2037**.

Federal and State Affairs: **SB 176, SB 178, SB 196**.

Judiciary: **SB 180, SB 183, SB 185, SB 186, SB 187, SB 188**.

Local Government, Transparency and Ethics: **SB 177, SB 194**.

Public Health and Welfare: **SB 174, SB 175, SB 182, SB 193**.

Utilities: **SB 191**.

Ways and Means: **SB 181**.

INTRODUCTION AND CONSIDERATION OF SENATE RESOLUTIONS

Senators Sykes, Argabright, Blasi, Joseph Claeys, Clifford, Corson, Dietrich, Faust-Goudeau, Francisco, Holscher, Petersen, Pettey, Starnes, Titus and Ware introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1708—

A RESOLUTION designating February 5, 2025, as Early Childhood Advocacy Day and recognizing the need to invest in the future success of Kansas by supporting the well-being and education of our youngest residents as well as the parents and adults who care for them.

WHEREAS, Ninety percent of a child's brain develops before the child enters kindergarten; and

WHEREAS, Meaningful investments in the first five years of a child's life are essential to healthy brain development and sustainable success of Kansas children; and

WHEREAS, Research clearly shows that a child's experience from birth to age five determines the trajectory of such child's entire life—from social and environmental development to academic achievements and career success; and

WHEREAS, Parents are a child's first teachers, and they play a crucial role in ensuring healthy development throughout their developmental stages; and

WHEREAS, Exposure to positive factors, especially stable and responsive relationships with parents, child care providers, early childhood educators and other caring adults, promotes overall development; and

WHEREAS, Investing in a strong foundation helps children develop the skills they need to become independent adults who thrive and contribute to their communities; and

WHEREAS, The return on our investment in child care, early childhood home visitation, healthcare and education stands out as a particularly unique benefit to our state, which will ultimately save taxpayers dollars in other programs later in life; and

WHEREAS, Access to high-quality, safe, affordable child care and early childhood educational opportunities is critical for Kansas children to succeed and our state's economy to grow and prosper; and

WHEREAS, Children born today will be the citizens and leaders in the decades ahead; and

WHEREAS, Investing in our future leaders now will determine Kansas' trajectory for generations to come: Now: Therefore,

Be it resolved by the Senate of the State of Kansas: That we designate February 5, 2025, as Early Childhood Advocacy Day; and

Be it further resolved: That we recognize the need to invest in the future success of our state by supporting the well-being and education of our youngest residents as well as the parents and adults who care for them; and

Be it further resolved: That our ongoing investment in early childhood services and high-quality, affordable and licensed child care is an investment in the current and future economic strength of our great state; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Kansas Child Care Training Opportunities, Harmon and Harmon Family Child Care, Child Care Provider Coalition of Kansas, Kansas Parents as Teachers Association, Kansas Head Start Association, Kansas Children's Service League, The Family Conservancy, Child Care Aware of Kansas, Child Start, Kansas Action for Children, Zero to Thrive and Senator Sykes.

On emergency motion of Senator Sykes **SR 1708** was adopted by voice vote.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2048**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2048 was thereupon introduced and read by title.

COMMITTEE OF THE WHOLE

On motion of Senator Blasi, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Dietrich in the chair.

On motion of Senator Dietrich the following summary report was adopted:

SB 14 be passed.

SCR 1603 be amended by adoption of the committee report and as further amended by Committee of the Whole.

COMMITTEE OF THE WHOLE ACTIONS

SB 14 be passed.

SCR 1603 be amended by the adoption of the committee amendments, be further amended by motion of Senator Alley; on page 2, in line 25, after the period by inserting "For tax year 2026, the final taxable appraised value of such property shall not increase by more than 3%, or a lesser percentage as provided by law, as compared to the tax year 2022 appraised value of such property unless an exception applies.";

On page 5, in line 7, after the period by inserting "The amendment would also roll back the valuation starting point to provide that for tax year 2026, the final taxable appraised value of such property shall not increase by more than 3%, or a lesser percentage as provided by law, as compared to the tax year 2022 appraised value of such property unless an exception applies."

A motion by Senator Owens to further amend failed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

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, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Erickson, Fagg, Gossage, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Rose, Ryckman, Shallenburger, Starnes, Thomas, Thompson, Titus, Tyson, Warren.

Nays: Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Schmidt, Sykes, Ware.

Absent or Not Voting: Shane.

The bill passed.

SB 6, AN ACT concerning elections; prohibiting the use of any form of ranked-choice voting methods in conducting elections, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, J.R. Claeys, Joseph Claeys, Clifford, Dietrich, Erickson, Fagg, Gossage, Klemp, Kloos, Masterson, Murphy, Owens, Peck, Petersen, Rose, Ryckman, Shallenburger, Starnes, Thomas, Thompson, Tyson, Warren.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holscher, Pettey, Schmidt, Sykes, Titus, Ware.

Absent or Not Voting: Shane.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **SB 21** be amended on page 2, in line 37, by striking "immediately"; in line 39, after "code" by inserting "at the time such filing is made"; and the bill be passed as amended.

Also, **SB 23** be amended on page 6, in line 33, before the period by inserting ". Upon

such a request, the commissioner may grant an extension of a specified time"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 135** 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 **Local Government, Transparency and Ethics** recommends **SB 7** be passed.

Also, **SB 2** be amended on page 1, in line 7, before "Section" by inserting "New"; following line 22, by inserting:

"Sec. 2. K.S.A. 2024 Supp. 10-120 is hereby amended to read as follows: 10-120. (a) Whenever an election is required for the issuance of bonds for any purpose by any municipality other than an irrigation district or where a different procedure for giving notice of the election is specifically provided by law, upon compliance with the legal requirements necessary and precedent to the call for the election, the proper municipal officers shall call an election. The election shall be held within 60 days after compliance with the necessary requirements, or within 90 days, should the longer period include the date of a general election.

(b) Notice of the election shall be published in a newspaper of general circulation in the municipality once each week for two consecutive weeks and on the website of the county election office of any county where the election is to be conducted if such county election office has a website. The first publication shall be not less than 21 days prior to the election. ~~Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall be published not less than 21 days prior to the election and if published on the website of the county election office, such publication shall remain on the website until the day after the election.~~ The notice shall set forth the time and place of holding the election and the purpose for which the bonds are to be issued and shall be signed by the county election officer. The election shall be held at the usual place of holding elections and shall be conducted by the officers or persons provided by law for holding elections in the municipality.

Sec. 3. K.S.A. 2024 Supp. 10-120 is hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "school districts" and inserting "elections"; in line 4, after "county" by inserting "; relating to publication requirements; providing for publication on the website of the county election office if such office has a website; amending K.S.A. 2024 Supp. 10-120 and repealing the existing section"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 18** be amended on page 1, in line 8, by striking "New";

On page 2, by striking all in lines 19 through 43;

By striking all on page 3;

On page 4, by striking all in lines 1 through 20;

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all after "plate"; by striking all in lines 3 and 4; in line 5, by striking all before the period; and the bill be passed as amended.

REPORT ON ENROLLED BILLS, CONCURRENT AND SENATE RESOLUTIONS

SB 63 reported correctly enrolled, properly signed and presented to the Governor on February 5, 2025.

On motion of Senator Blasi, the Senate adjourned until 2:30 p.m., Thursday, February 6, 2025.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

