As Amended by Senate Committee

Session of 2025

SENATE BILL No. 222

By Committee on Judiciary

2-5

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 ***administrative hearing*** officer hearing an administrative action.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) In interpreting a state statute, rule and regulation or document that has the force and effect of law, a state court or an ***administrative hearing*** officer hearing an administrative action may consider but shall not defer to a state agency's interpretation of such statute, rule and regulation or document and shall interpret the meaning and effect of such statute, rule and regulation or document de novo.

(b) In an action brought by or against a state agency, after applying all customary tools of interpretation and rules of statutory construction pursuant to law, a state court or an ***administrative hearing*** officer hearing an administrative action shall exercise any remaining doubt in ~~favor of a reasonable interpretation that limits the state agency's powers and maximizes individual liberty~~ ***a way that is consistent with an individual's fundamental constitutional rights***.

(c) As used in this section, "rule and regulation" and "state agency" mean the same as defined in K.S.A. 77-602, and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.